

Table of Contents

CHAPTER 17	<u>1</u>
International Conflict Resolution and Avoidance	<u>1</u>
A. MIDDLE EAST PEACE PROCESS	<u>1</u>
B. PEACEKEEPING AND CONFLICT RESOLUTION	<u>5</u>
1. Syria	<u>5</u>
a. <i>Security Council</i>	<u>5</u>
b. <i>International cooperation outside of the Security Council</i>	<u>9</u>
c. <i>U.S. Assistance</i>	<u>12</u>
2. Ukraine	<u>16</u>
3. Lord's Resistance Army	<u>16</u>
4. Central African Republic	<u>18</u>
5. Sudan	<u>20</u>
6. South Sudan	<u>21</u>
7. Peacekeeping Reform	<u>31</u>
8. GAO Determination Regarding U.S. Contributions to UN Peacekeeping	<u>38</u>
9. Protecting Civilians During Peacekeeping Operations	<u>41</u>
C. CONFLICT AVOIDANCE	<u>42</u>
1. Gender-Based Violence Emergency Response and Protection Initiative	<u>42</u>
2. Atrocities Prevention	<u>42</u>
Cross References	<u>46</u>

CHAPTER 17

International Conflict Resolution and Avoidance

A. MIDDLE EAST PEACE PROCESS

On April 29, 2014, Ambassador Samantha Power, U.S. Permanent Representative to the UN, delivered remarks at a Security Council open debate on the Middle East. Ambassador Power first addressed Israeli-Palestinian issues and, in particular, the pause in the peace negotiations. That portion of her remarks appears below. The remarks in their entirety are available at <http://usun.state.gov/briefing/statements/225356.htm>.

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The United States recognizes that the path to a comprehensive peace settlement in the Middle East is littered with obstacles. But we also believe that the goal is as essential as the process is turbulent. For this reason, we will continue to support negotiations between the parties. However, ultimately the choice is up to the leaders and their people. None of us can make the difficult decisions required for peace and the parties have decided to take a pause in the negotiations. We have clearly reached a difficult moment, but we continue to believe that there is only one real viable solution for the Israeli-Palestinian conflict: two states living side by side in peace and security. And if the parties are willing to go down the path—this path—we will be there to support them.

In this connection, we are grateful for the strong support the negotiations have received from the Arab League, the European Union, the Quartet, and other key partners. We will continue to look to you for support in the weeks and months ahead.

Regarding the recent announcement by Fatah and Hamas that they intend to form a technocratic government to prepare for new elections, the timing of the announcement was clearly unhelpful in terms of efforts that were underway between the parties to reach an agreement on extending the negotiations. The United States and the other members of the Quartet have been clear about the principles that must be accepted by a Palestinian government

in order for it to achieve peace and build an independent Palestinian state. These principles have not changed. Any Palestinian government must unambiguously and explicitly commit to nonviolence, recognition of the State of Israel, and acceptance of previous agreements and obligations between the parties. President Abbas has been committed to these principles and has declared that any government he forms will be committed in the same way. If a new Palestinian government is formed, we will assess it based on its composition and actions as well as its adherence to these principles.

We continue to oppose unilateral actions that seek to circumvent or prejudice outcomes that can be negotiated only between the parties, including efforts to enhance Palestinian claims to statehood absent a negotiated final status agreement.

Similarly, we continue to view Israeli settlements in the West Bank as illegitimate and oppose any efforts to establish new settlements, expand existing ones, or legalize settlement outposts.

Our positions on other aspects of the process are also well known and have not changed.

The United States remains deeply concerned by the uptick in tensions and violence at the Temple Mount / Haram al-Sharif compound around the Passover and Easter holidays and urges all parties to redouble efforts to reduce tensions, while maintaining the status quo. We continue to maintain high-level engagement on this issue.

My government also condemns other acts of violence, including rocket strikes into Israel from the Gaza Strip, the April 14 murder of an Israeli police official, and settler attacks and demolitions directed against Palestinian civilians in the West Bank. We call upon all concerned to avoid incidents that might make further disturbances more likely. We look to the authorities on both sides to investigate and hold accountable persons responsible for acts of violence. We also call on both sides to respect the terms of the November 2012 ceasefire involving Israel and Gaza.

In addition, the United States remains troubled by the humanitarian situation in Gaza. Several UN relief projects, which are important to improving the conditions there, are still awaiting Israeli approval. We urge all parties to continue to work together to increase the access of humanitarian supplies into that area.

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On November 25, 2014, Ambassador Power addressed the UN General Assembly on the situation in the Middle East. Ambassador Power expressed regret at the numerous General Assembly resolutions targeting Israel, but was also critical of steps by the Israeli government that run counter to the peace process. Ambassador Power's remarks are excerpted below and available at <http://usun.state.gov/briefing/statements/234426.htm>.

* * * *

Like everyone in this assembly hall, we are deeply concerned about the volatile situation in the Middle East. The United States has made an enormous effort, especially over the last year and a half, to work with the parties in trying to pave the road towards achieving a negotiated final-status agreement allowing two states to live side-by-side in peace and security.

In this context, the United States remains profoundly troubled by the repetitive and disproportionate number of one-sided General Assembly resolutions condemning Israel—a total of 18 this year. This grossly one-sided approach damages the prospects for peace by undermining trust between parties and damaging the kind of international support critical to achieving peace. All parties to the conflict have direct responsibilities for ending it, and we are disappointed that UN Members continually single out Israel without acknowledging the responsibilities and difficult steps that must be taken on all sides. These unbalanced, one-sided resolutions set back our collective efforts to advance a peaceful resolution to the conflict in the Middle East, and they damage the institutional credibility of the United Nations.

Of these annual resolutions, which unfairly single out one country and consistently lack balance, three are particularly troubling to the United States: the “Division for Palestinian Rights of the Secretariat;” the “Committee on the Exercise of the Inalienable Rights of the Palestinian People;” and the “Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.” These resolutions renew mandates for UN bodies established decades ago, wasting valuable resources and reinforcing the perception of systematic UN bias against Israel. All member states should evaluate the effectiveness of supporting and funding these bodies.

I do want to add that our continued opposition to the resolution on “Israeli Settlements in the Occupied Palestinian Territory, including Jerusalem, and the Occupied Golan,” which will come up for a vote in this Assembly next month, should not be understood to mean that we support settlement activity. On the contrary, we reject in the strongest terms Israeli settlements in territories occupied in 1967. Settlements are illegitimate, and they damage Israel’s security and the hopes for peace.

Continued settlement activity is contrary to Israel’s stated goal of negotiating a permanent status agreement with the Palestinians and is inconsistent with Israel’s international commitments.

During the past year, we have been deeply concerned by Israel’s advancement of plans for thousands of additional housing units in the West Bank and East Jerusalem. We have made clear that such action only draws condemnation from the international community, poisons the atmosphere not only with the Palestinians but also with the very Arab governments with which the Israeli government says it wants to build relations, and undermines the prospect for a peaceful negotiated agreement with the Palestinians.

Both sides took unhelpful steps that undercut the most recent round of final status negotiations. The scale and timing of Israel’s settlement activities contributed significantly to the erosion of trust between the parties.

The United States is in full agreement about the urgent need to resolve the conflict between Israel and the Palestinians, based on the two-state solution and an agreement that establishes a viable, independent, and contiguous state of Palestine, once and for all. We’ve invested a tremendous amount of effort and resources in pursuit of this shared goal, and we firmly believe that the parties need to resolve the conflict through direct negotiations. If the

parties are willing and ready to take that step, we stand ready to support them and to continue our efforts to advance the cause of peace.

In closing, while the United States unequivocally rejects Israeli settlements in territories occupied in 1967, they do not justify the repetitive, disproportionate, and one-sided General Assembly resolutions condemning Israel, which do not advance our collective efforts to advance a peaceful resolution to the conflict.

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On December 30, 2014, Ambassador Power again addressed the Security Council on the situation in the Middle East, delivering the explanation of the U.S. vote against a resolution on the Palestinian question. Ambassador Power's remarks are excerpted below and available in full at <http://usun.state.gov/briefing/statements/235547.htm>.

* * * *

In recent years, no government has invested more in the effort to achieve Israeli-Palestinian peace than the United States. Peace—however difficult it may be to forge—is too important to give up on. As we were reminded this summer in Gaza, and as we've been reminded too painfully recently in Jerusalem and the West Bank, the human consequences of ensuing cycles of violence are too grave. The United States every day searches for new ways to take constructive steps to support the parties in making progress toward achieving a negotiated settlement.

The Security Council resolution put before us today is not one of those constructive steps; it would undermine efforts to get back to an atmosphere that makes it possible to achieve two states for two people.

Regrettably, instead of giving voice to the aspirations of both Palestinians and Israelis, this text addresses the concerns of only one side. It is deeply imbalanced and contains many elements that are not conducive to negotiations between the parties, including unconstructive deadlines that take no account of Israel's legitimate security concerns. In addition, this resolution was put to a vote without a discussion or due consideration among Council members, which is highly unusual, especially considering the gravity of the matter at hand. We must proceed responsibly, not take actions that would risk a downward spiral.

We voted against this resolution not because we are comfortable with the status quo. We voted against it because we know what everyone here knows, as well—peace will come from hard choices and compromises that must be made at the negotiating table. Today's staged confrontation in the UN Security Council will not bring the parties closer to achieving a two-state solution.

We voted against this resolution not because we are indifferent to the daily hardships or the security threats endured by Palestinians and Israelis, but because we know that those hardships will not cease and those threats will not subside until the parties reach a comprehensive settlement achieved through negotiations. This resolution sets the stage for more division—not for compromise. It could well serve to provoke the very confrontation it purports to address.

For decades, the United States has worked to try to help achieve a comprehensive end to the Israeli-Palestinian conflict, and we remain committed to achieving the peace that both Palestinians and Israelis deserve: two states for two peoples, with a sovereign, viable, and independent Palestine living side-by-side in peace and security with a Jewish and democratic Israel.

The United States does not just acknowledge the tremendous frustrations and disappointments on both sides over the years in pursuit of peace; we share them. And we understand the immense challenges the parties need to overcome to make peace a reality. Yet at the same time, we firmly believe the status quo between Israelis and Palestinians is unsustainable.

The United States recognizes the role that this Council has played before in advancing a sustainable end to the Israeli-Palestinian conflict, including through resolutions 242, 338, and 1515, which calls for the creation of a Palestinian state alongside Israel, with both states “living side-by-side within secure and recognized borders.” In a May 2011 speech, President Obama elaborated further that “the United States believes that negotiations should result in two states, with permanent Palestinian borders with Israel, Jordan, and Egypt, and permanent Israeli borders with Palestine...based on the 1967 lines with mutually agreed swaps, so that secure and recognized borders are established for both states.” He made clear that the “Palestinian people must have the right to govern themselves, and reach their full potential, in a sovereign and contiguous state.”

The United States will continue reaching out to the parties in an effort to find a way forward, and we are ready to engage and support them when they are ready to return to the table. And we will continue to oppose actions by both sides that we view as detrimental to the cause of peace, whether those actions come in the form of settlement activity or imbalanced draft resolutions in this Council. The parties have a responsibility to negotiate and to own the hard choices that will be needed if they are to bring real and long-overdue change to their region to benefit their people.

Today’s vote should not be interpreted as a victory for an unsustainable status quo. Instead, it should serve as a wake-up call to catalyze all interested parties to take constructive, responsible steps to achieve a two-state solution, which remains the only way to bring an end to the ongoing cycle of violence and suffering. We hope that those who share our vision for peace between two states—Israel and Palestine, both secure, democratic, and prosperous—will join us in redoubling efforts to find a path forward that can rally international consensus, advance future negotiations, and provide a horizon of hope for Palestinians and Israelis alike. Thank you.

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B. PEACEKEEPING AND CONFLICT RESOLUTION

1. Syria

a. Security Council

On February 22, 2014, the UN Security Council adopted resolution 2139 on access for humanitarian assistance to Syria. Ambassador Power delivered the explanation of vote for the United States, available at

<http://usun.state.gov/briefing/statements/221922.htm>, and excerpted below.

Ambassador Power delivered a subsequent, additional statement on the resolution, after it was adopted unanimously, which is available at

<http://usun.state.gov/briefing/statements/221926.htm>.

* * * *

... At long last the Security Council has spoken clearly and unanimously about the devastating humanitarian catastrophe unfolding in Syria. For a body that has long been too divided to acknowledge even the basic facts of the horror in Syria, today's resolution is a long overdue and altogether necessary step towards reality.

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It is remarkable to the world that it has taken three years for the Security Council to recognize basic facts and to call for such basic principles of humanity, simply that Syrians in need should not be held under siege, that they should not be bombed by barrel bombs, that they should not be starved. It is a gross understatement to say it should not have taken this long.

This resolution is important for two reasons. It has a clear demand for specific and concrete actions and it is a commitment to act in the event of non-compliance. It was a difficult resolution to obtain, but it should not have been. Many of the issues that come before this body are complicated; this is not.

It is because the United States believes that civilians should not be starved, should not be bombed, and should not be denied access to the most basic things required to sustain life that we welcome today's action by the Security Council. It is now our fervent hope that this Council will show similar courage to ensure that our unanimous demands result in changes to ease the suffering, especially for the hundreds of thousands of civilians who have been encircled by snipers and trapped in besieged communities.

Our goal here today is to ensure that help is received by people who will die without it—and that innocent civilians are not killed while waiting for that assistance to arrive.

It remains to be seen whether our action today will have the beneficial results we intend. Given its track record to date, the Syrian regime can be trusted only to deny what it has done and lie about what it will do. Accordingly, I call upon all Council members, and all members of the international community, to join in pressing Damascus—and any actor who fails to comply—to fulfill the terms of this resolution on a comprehensive and urgent basis. There should be no more broken promises, no more delays, and no more coupling minor concessions with crimes that are so horrific, so systematic, and so recurrent that they have lost some of their power to shock the conscience.

Today, this Council has achieved consensus. Now we must insist upon action. Our common security, our common humanity, and our collective conscience demand nothing less.

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Secretary Kerry also issued a press statement on Security Council resolution 2139 on Syria, available at www.state.gov/secretary/remarks/2014/02/221925.htm and excerpted below.

* * * *

This could be a hinge-point in the tortured three years of a Syria crisis bereft of hope. This overdue resolution, if fully implemented, will ensure humanitarian aid reaches people in Syria whose very lives depend on it. This is all about saving innocent lives and relieving the burden on Syria's neighboring countries.

After three years of slaughter and savagery, people rightfully will question whether progress is possible, but this resolution holds the promise of something real. The proof is on paper. By naming the areas in Syria where sieges must be lifted, demanding that hospitals, schools and other places where civilians gather must be demilitarized, insisting that aid must be allowed to cross borders and follow the most direct routes to the suffering, and by underscoring that attacks against civilians, including barrel bombing, must end, the international community hasn't minced words. This is a resolution of concrete steps to answer the worst humanitarian crisis in the world today.

But these steps are only first steps. Just as shipments of humanitarian aid mean little without access to beleaguered areas, resolutions demanding access mean little without full implementation. The test is whether the words of the Security Council are matched with the life-saving actions the Syrian people so desperately and urgently need.

* * * *

On July 14, 2014, the Security Council adopted another resolution on access for humanitarian assistance in Syria. U.N. Doc. S/RES/2165. In resolution 2165, the Security Council decided that UN humanitarian agencies and their implementing partners are authorized to use certain border crossings and routes across conflict lines without the consent of the Syrian authorities to ensure that humanitarian assistance reaches people throughout Syria. Ambassador Power delivered the U.S. explanation of vote on Resolution 2165, excerpted below and available at <http://usun.state.gov/briefing/statements/229230.htm>. The Security Council renewed this decision and others from resolution 2165 in resolution 2191 in December 2014.

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The Assad regime has, until now, refused to allow United Nations humanitarian assistance to flow through border crossings it does not control, something members of this Security Council address with this resolution. By adopting this resolution, the Council has opened four crossings to UN humanitarian agencies and their implementing partners without the need for approval from the regime. These humanitarian agencies will increase the supply of life-saving aid, including food to eat and medicine to care for the sick and injured. If implemented fully, this

resolution will allow critical aid to reach up to two million Syrians who have been denied adequate assistance for the past year, and suffered immeasurably as a result. This resolution also authorizes the UN to cross conflict lines between regime and opposition forces to deliver aid, and the Syrian regime, which is systematically denying cross line humanitarian assistance, must heed this obligation.

In addition, the resolution adopted today establishes a UN monitoring mechanism under the authority of the Secretary-General, and with the consent of Syria's neighbors, to monitor the UN's aid consignments in order to confirm that they indeed contain humanitarian aid. This mechanism conforms with the Secretary General's proposal, and the resolution stipulates that inspections will occur at the facilities in neighboring countries. We are grateful to Syria's neighbors for their crucial cooperation in this effort, and their tremendous generosity in helping respond to this massive humanitarian crisis.

Yet even as we recognize the promise this resolution holds for reaching more people in need, we must not forget that it should have never required a Security Council resolution for a government to allow food and medicine to reach millions of families whose lives have been hanging in the balance. Yet when the UN requested such permission over the last year, their letters went unanswered, their requests rejected. The Assad regime has seized every opportunity to make it more—and not less—difficult to provide such crucial assistance to civilians in dire need. Instead of opening paths for aid, it has deliberately closed them. Rather than providing free and unfettered humanitarian access to all Syrians, it has used the denial of aid—and the starvation, sickness, and misery it imposes—as yet another weapon in its cruel and devastating arsenal against opposition-held areas.

The effectiveness of today's resolution will depend on the efforts and cooperation of many parties. Those parties include the United Nations and international humanitarian agencies, which have made clear their interest in using these crossings. They also include us as members of the Security Council, who must ensure that this resolution is fully enforced. This Council must be prepared to take decisive action should the parties to the conflict, particularly the Assad regime, fail to comply with it.

To this end, I would remind the Syrian regime that, under article 25 of the UN Charter, Syria is obligated to accept and carry out the decisions made by the Security Council in this resolution.

At a time when many are raising questions about the ability of this Council to fulfill its purpose regarding Syria, we have shown again today that we can come together and take action against the horrific crisis in Syria.

In September of last year, we stood together in demanding that the Assad regime end its use of chemical weapons against the Syrian people. Today, 100 percent of declared chemical weapons in Syria have been removed from the country.

In February, we stood together in calling on the Syrian regime to allow free and unfettered access for humanitarian assistance and to end the systematic besieging of civilian areas, yet this resolution went largely unheeded.

Today, we are taking steps to ensure that our resolution from February has a real impact on the ground unlocking the impediments that stand in the way of cross-border assistance. There is other unfinished work from that resolution including ending the systematic targeting of medical facilities and schools and the monstrous use of barrel bombs against civilian areas.

The Council must now take the cooperation and unity we have shown today and bring it to bear in ensuring the end of the horrors being perpetrated against the Syrian people.

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b. *International cooperation outside of the Security Council*

On January 31, 2014 senior officials from Egypt, France, Germany, Italy, Jordan, Qatar, Saudi Arabia, Turkey, the United Arab Emirates, the United Kingdom and the United States (“the London 11”) met in Geneva with the Syrian opposition delegation led by the Syrian National Coalition in what is referred to as “Geneva II.” The communiqué adopted by the core group at the conference is excerpted below and available at www.state.gov/r/pa/prs/ps/2014/01/221088.htm.

* * * *

1. We appreciate the efforts of the Joint Special Representative Brahimi and his team to lay the foundations of negotiations between the Syrian regime and the Syrian opposition delegations. The UN [Secretary General] has convened the parties to the Geneva II Conference with the aim of achieving a political transition on the basis of the Geneva Communiqué which will preserve the sovereignty, independence, unity and territorial integrity of Syria. As reiterated by the UNSG at the Montreux Conference, the transition should begin with the formation, by mutual consent, of a transitional governing body with full executive powers, including control over security, intelligence and military apparatuses. The negotiations are to form without delay a transitional governing body with full executive powers in full implementation of the Geneva Communiqué.

2. We welcome the courageous decision taken by the Syrian National Coalition to come to Geneva, and the constructive approach the opposition delegation has adopted throughout the first round of negotiations. We encourage the Coalition to pursue its efforts in this direction and to keep broadening the basis of the opposition delegation as well as to continue actively reaching out to all Syrians. We are fully committed to support this process.

3. The regime must adopt a clear position by endorsing the Geneva Communiqué and commit to the objective of the Conference as stated in the invitation letter of the UN Secretary General and as requested by the countries present in Montreux. The regime is responsible for the lack of real progress in the first round of negotiations. It must not further obstruct substantial negotiations and it must engage constructively in the second round of negotiations. We ask all those who have influence on it to engage to create the conditions for the process to succeed.

4. We express outrage at the maintaining, by the regime, of its “starve or surrender” strategy which in particular deprives hundreds of thousands of people in the suburbs of Damascus, in the old city of Homs and elsewhere, from receiving food and medicine, and at the arbitrary detention of tens of thousands of civilians. It is all the more important that the Geneva II process lead to tangible and immediate benefits to the Syrian people. We call on the international community to use all its influence to secure full humanitarian access throughout Syria without delay. The regime must let UN convoys have access to the old city of Homs, as proposed by the UN and accepted by the opposition.

5. We condemn in the strongest terms the continued use of “barrel bombs”, ballistic missiles and heavy artillery by the regime against the Syrian people, in full contradiction with the Geneva process as well as basic human rights principles.

6. We reiterate the right of the Syrian people to defend itself. In this vein, we commit to support the opposition groups respecting democratic and pluralistic values, as stated in the national covenant adopted by the opposition in July 2012, recognizing the political authority of the Syrian National Coalition and accepting the prospect of a democratic transition. We fully back the opposition groups in their action against Al-Qaeda affiliated groups. We condemn the presence of foreign fighters in Syria, both those fighting with the regime such as Hezbollah and other Iranian backed forces, and those fighting within other extremist groups. We call on the international community to do their part to ensure that the extremists don't deny the Syrian people the opportunity to realize their democratic aspirations.

7. The Geneva II Conference aims to allow the Syrian people to control its future through a genuine political transition. It is of utmost importance that these goals should be reached.

<http://www.state.gov/r/pa/prs/ps/2014/01/221121.htm>

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On February 16, 2014 as the Geneva talks came to an end, Secretary Kerry issued a press statement, criticizing the Assad regime for obstructing progress in the talks. The Secretary's statement is excerpted below and available at

www.state.gov/secretary/remarks/2014/02/221702.htm.

* * * *

There's no recess in the suffering of the Syrian people, and the parties and the international community must use the recess in the Geneva talks to determine how best to use this time and its resumption to find a political solution to this horrific civil war.

None of us are surprised that the talks have been hard, and that we are at a difficult moment, but we should all agree that the Assad regime's obstruction has made progress even tougher. It was an example to all the world that while the regime obstructed and filibustered, the opposition demonstrated a courageous and mature seriousness of purpose and willingness to discuss all aspects of the conflict. They put forward a viable and well-reasoned roadmap for the creation of a transitional governing body and a viable path by which to move the negotiations forward. That's precisely the spirit of the Geneva I Communique, and we commend the opposition for responsibly meeting its spirit.

The opposition delegation has regularly demonstrated that they are willing to engage constructively in the interests of all the Syrian people. In sharp contrast, we have seen a refusal to engage on the part of the regime. While it stalled in Geneva, the regime intensified its barbaric assault on its civilian population with barrel bombs and starvation. It has even gone as far as to add some of the opposition delegates at Geneva to a terrorist list and seize their assets. This is reprehensible.

The international community understands that the primary purpose of our diplomacy is to discuss the full implementation of the Geneva communique, including the creation of a transitional governing body. The Syrian people deserve no less. We call on the regime's supporters to press the regime. In the end, they will bear responsibility if the regime continues with its intransigence in the talks and its brutal tactics on the ground.

The United States deeply appreciates the efforts of Joint Special Representative Brahimi to secure a negotiated political transition. We remain committed to the Geneva process and to all diplomatic efforts to find a political solution as the only way to a lasting and sustainable end to the conflict.

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On April 3, 2014, the London 11 Countries issued another joint statement on Syria, available at www.state.gov/r/pa/prs/ps/2014/04/224358.htm and set forth below.

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The core group of the Friends of Syrian People—including Egypt, France, Germany, Italy, Jordan, Qatar, Saudi Arabia, Turkey, the United Arab Emirates, the United Kingdom, and the United States—continues to support the efforts of Joint Special Representative Brahimi to mediate a political solution between both sides and calls upon the Syrian regime to cease its obstruction of the Geneva process by clearly endorsing all elements of the Geneva Communiqué, which was enshrined in Security Council Resolutions 2118 and 2139 and reaffirmed by the United Nations and the international community at the Montreux conference.

As previously stated by the core group of the Friends of the Syrian People in January 2014 and recently by Joint Special Representative Brahimi, any unilateral decision by the Syrian regime to hold presidential elections would be entirely inconsistent with the Geneva Communiqué's call for the establishment of a transitional governing body to oversee constitutional reforms leading to free and fair elections in a neutral environment. Elections organized by the Assad regime would be a parody of democracy, would reveal the regime's rejection of the basis of the Geneva talks, and would deepen the division of Syria.

Recent actions by the Assad regime to pave the way for presidential elections in the coming months, including the promulgation of a new electoral law, have no credibility. Bashar al-Assad intends these elections to sustain his dictatorship. They would be conducted in the midst of a conflict, only in regime-controlled areas, and with millions of Syrians disenfranchised, displaced from their homes, or in refugee camps. An electoral process led by Assad, who the United Nations considers to have committed war crimes and crimes against humanity, mocks the innocent lives lost in the conflict.

The best way out of Syria's crisis is a political solution based on the full implementation of the Geneva Communiqué. This requires the Syrian regime to accept the agenda and sequencing laid out by Joint Special Representative Brahimi as a condition for the resumption of talks: (i) violence and terrorism; (ii) transitional governing body; (iii) national institutions; and (iv) national reconciliation. As Joint Special Representative Brahimi has stated, items (i) and (ii) must be discussed in parallel, and there must be genuine engagement on the creation of a transitional governing body.

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c. U.S. Assistance

On January 17, 2014, the State Department issued a fact sheet, available at www.state.gov/r/pa/prs/ps/2014/01/220029.htm, describing U.S. assistance and support for a transition in Syria. On September 29, 2014, the State Department issued an updated fact sheet on U.S. assistance and support for the transition in Syria. The September 29 fact sheet is available at www.state.gov/r/pa/prs/ps/2014/09/232266.htm and is excerpted below.

* * * *

The United States supports the Syrian people's struggle for a democratic, inclusive, and unified Syria. The regime of Bashar al-Assad violently suppressed what began as a peaceful protest movement in Dar'a in March 2011, and Assad has proven through his brutal and repressive tactics that he has lost all legitimacy. His continued tenure only fuels extremism and inflames tensions throughout the region.

The United Nations estimates that more than 191,000 people have been killed since the unrest and violence began three years ago. The number of civilians fleeing Syria and seeking refuge in neighboring countries has increased sharply as violence has escalated. More than 3 million people are now refugees in neighboring countries while, inside Syria, nearly 6.5 million people are displaced and nearly 11 million people are in need of humanitarian assistance. Despite the improved UN access following adoption of UN Security Council Resolution 2165, the UN and others in the humanitarian community continue to face significant challenges reaching many people in need in Syria. Obstruction and ongoing violence by the regime, opposition, and terrorist groups are continuing to hinder the delivery of urgent, life-saving assistance to those in need inside Syria. All parties to the conflict in Syria must allow safe, unfettered access to all in need.

To help those affected by the crisis in Syria, the United States has contributed more than \$2.9 billion in humanitarian assistance—the most from any single donor. These resources support international and non-governmental organizations assisting those affected by the conflict both inside Syria and across the region.

The United States is also providing \$330 million in non-lethal support to the moderate Syrian opposition. This non-lethal assistance is helping the Syrian Opposition Coalition (SOC), local opposition councils, and civil society groups provide essential services to their communities, extend the rule of law, and enhance stability inside liberated areas of Syria. These funds are also being used to provide non-lethal assistance to vetted, moderate opposition units, which are fighting both the Assad regime and violent extremist groups, notably the Islamic State of Iraq and the Levant (ISIL), on behalf of the Syrian people.

Diplomatic Support

The United States continues to work vigorously to advance a political transition in Syria. Efforts to reach a diplomatic solution to the Syrian crisis are based on the Final Communiqué of the 30 June 2012 Action Group meeting in Geneva. The process set forth by the Communiqué is supported by the United States and the broad partnership of nations known as the “London 11,” which are pressing for a negotiated political solution to the Syria conflict. After two rounds of

UN-sponsored negotiations in Geneva, the Assad regime's refusal to engage meaningfully in talks stalled progress towards reaching a political settlement to the Syrian crisis.

Simultaneous diplomatic efforts are helping coordinate the provision of assistance with other partners and allies in support of the moderate Syrian opposition. Diplomatic efforts also seek to isolate the regime further, both politically and economically through comprehensive sanctions; to support the Syrian people's calls for an end to the conflict; and to reinforce the moderate Syrian opposition's ability to act as a counterweight to the regime and ISIL.

The United States remains firmly committed to the elimination of Syria's chemical weapons arsenal, a grave danger to the Syrian people and their neighbors. Since September 2013, as outlined in UN Security Council Resolution 2118, the international community cooperated to remove and destroy Syria's declared chemical weapons stockpiles. Less than one year later, in August 2014, under the leadership of the Organization for the Prohibition of Chemical Weapons (OPCW)-UN Joint Mission, the deadliest chemical weapons in the Assad regime's declared stockpile have been destroyed. The United States contributed tens of millions of dollars in assistance to the OPCW-UN Joint Mission, including outfitting a U.S. ship with hydrolysis technology to neutralize safely at sea the most dangerous of Syria's chemical agents and precursors. We are grateful for the OPCW-UN Joint Mission's leadership and for the contributions of the entire international coalition in reaching this unprecedented achievement. Although this advances our collective goal to ensure that the Assad regime cannot use its declared chemical arsenal against the Syrian people or Syria's neighbors, serious questions remain with respect to the omissions and discrepancies in Syria's declaration to the OPCW and reports of continued use of chlorine as a weapon by the Assad regime. These concerns must be addressed, and we will work closely with the OPCW and the international community to ensure these open issues are fully resolved and that the Assad regime is held accountable for any failure to meet its obligations.

Humanitarian Assistance

The United States and the international community are working tirelessly to provide humanitarian assistance to those affected by the brutal conflict in Syria. One-half of our \$2.9 billion in humanitarian assistance is being distributed to organizations working inside Syria; the balance is going to assist refugees and to the communities that host them.

For those affected by the crisis inside Syria and in neighboring countries, the United States is providing medical care and supplies, shelter, childhood immunizations, food, clean water, relief supplies, and access to education and protection—including activities to prevent and respond to gender-based violence. U.S. assistance supports the activities of UN agencies—including the United Nations High Commissioner for Refugees (UNHCR), the World Food Program (WFP), the United Nations Children's Fund (UNICEF), and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) – and numerous non-governmental organizations, in Syria and neighboring countries.

In response to growing incidents of gender-based violence during the conflict, the United States is also providing psychological and social support for women and children from Syria through women's health centers, mobile clinics, and outreach workers.

Within Syria, U.S. humanitarian assistance is reaching more than 4.5 million people across all 14 of the country's governorates through the United Nations, international and non-governmental organizations, and local Syrian organizations, as well as in coordination with the Syrian Opposition Coalition's Assistance Coordination Unit (ACU) and Interim Government. To ensure the safety of recipients and humanitarian workers and to facilitate passage while en route

to beneficiaries, U.S. humanitarian assistance is often not branded or marked. The United States supports approximately 260 field hospitals and clinics across Syria. These facilities have treated nearly 1.9 million patients and performed more than 358,240 surgeries. To meet the need for more medical staff capable of saving lives, the United States trained nearly 3,000 health care providers and community health workers inside Syria.

The United States continues to work closely with countries in the region hosting refugees fleeing Syria, supporting communities that have generously opened their schools, hospitals, and homes. For more details on the U.S. humanitarian response to the Syria crisis and what U.S. humanitarian assistance is being provided, please visit: www.usaid.gov/crisis/syria.

Non-lethal Transition Assistance to the Syrian Opposition

The United States is working in partnership with the international community to support the Syrian opposition and is providing \$330 million in non-lethal transition assistance to help the moderate opposition meet daily needs, provide essential services, and support a transition. U.S. support includes \$15 million provided to the multi-donor Syria Recovery Trust Fund, designed to help with Syria's recovery effort in areas controlled by the moderate opposition, as well as its reconstruction and economic needs after the formation of a transitional governing body.

Non-lethal assistance is being provided to a range of civilian opposition groups, including local councils, civil society organizations, and SOC-affiliated entities to bolster their institutional capacity, create linkages among opposition groups inside and outside Syria, and help counter violent extremism. These efforts enable the Coalition, including its interim governance structures, to deliver basic goods and essential services to liberated communities as they step in to fill the void left by the regime. In addition to civil administration training programs, these entities are provided with a wide array of critical equipment, including generators, ambulances, cranes, dump trucks, fire trucks, water storage units, search and rescue equipment, education kits for schools, winterization materials, and commodity baskets for needy families.

The United States is also helping to strengthen grassroots organizations and local administrative bodies—a foundation of democratic governance—as they step in to fill the void left by the regime and provide basic services, including emergency power, sanitation, water, and educational services to their communities. U.S. assistance also is being directed to maintaining public safety, extending rule of law and mitigating sectarian violence.

U.S. non-lethal assistance includes training and equipment to build the capacity of a network of more than 3,000 grassroots activists, including women and youth, from more than 400 opposition councils and organizations from around the country to link Syrian citizens with the national- and local-level Syrian opposition. This support enhances the linkages between Syrian activists, human rights organizations, and independent media outlets and empowers women leaders to play a more active role in transition planning.

Support to independent media includes assistance to both television and radio stations; mentoring from Arab media experts to broadcast professionals inside Syria; training for networks of citizen journalists, bloggers, and cyber-activists to support their documentation and dissemination of information on developments in Syria; and technical assistance and equipment to enhance the information and communications security of Syrian activists within Syria. U.S. technical and financial assistance is also supporting the Coalition's outreach to Syrians through the internet, local, independent radio stations, and satellite television.

The United States continues to assist in laying the groundwork for accountability by supporting the Syria Justice and Accountability Center's efforts to document violations and abuses of international human rights law committed by all sides of the conflict, and by bolstering

the capacity of civil society organizations to build the foundations for lasting peace. The United States also works at the grassroots levels with groups and individuals across a broad spectrum of Syria's diverse religious and ethnic communities to empower women, religious leaders, youth, and civil society to advocate for their communities, build trust and tolerance, and mitigate conflict.

In addition to this transition assistance to local communities, the United States has been providing direct non-lethal assistance to the moderate, armed opposition. We have delivered to moderate armed elements 550,000 MREs, 4,500 medical kits, more than 117,000 food baskets, more than three tons of surgical and triage medical supplies, vehicles, heavy machinery, communications and computer equipment, generators, and other basic supplies.

Train and Equip Program

The United States will train and equip appropriately vetted elements of the Syrian armed opposition. The program, through the Department of Defense, will help moderate Syrian fighters defend the Syrian people from attacks by ISIL and the Syrian regime; stabilize areas under opposition control; and empower a subset of the trainees to go on the offensive against ISIL.

Additional Support for the Syrian People

To help Syrians begin to rebuild, the U.S. Department of Treasury's Office of Foreign Assets Control (OFAC) issued a Statement of Licensing Policy inviting U.S. persons to apply for specific licenses to participate in certain economic activities in Syria. The OFAC Statement focused on applications to engage in oil-related transactions that benefit the Syrian Opposition Coalition, or its supporters, and transactions involving Syria's agricultural and telecommunications sectors. OFAC also amended Syria General License 11 to authorize the exportation of services and funds transfers in support of not-for-profit activities to preserve and protect cultural heritage sites in Syria.

The U.S. Department of Commerce has waived certain restrictions, accepting license applications for the export and re-export of certain commodities, software, and technology for the benefit of the Syrian people, including but not limited to: water supply and sanitation; agricultural production and food processing; power generation; oil and gas production; construction and engineering; transportation; and educational infrastructure.

To support educational opportunities for Syrians during the conflict, the United States continues to engage Syrians directly, offering academic advice to young people hoping to study in the United States and opportunities to participate in State Department exchanges and other outreach programs. The State Department is also contributing to the Syrian Scholar Rescue program, which supports higher education in Syria by offering outstanding professors, researchers, and intellectuals fellowship grants and temporary academic appointments at partnering academic institutions. Additionally, the State Department remains focused on supporting the preservation of Syria's rich cultural heritage and continues to work with a range of Syrian, American, and international partners to protect Syrian antiquities. For more information, please visit: <http://damascus.usembassy.gov/resources/cultural-events.html>

The State Department maintains an active dialogue to coordinate policy and assistance for Syria with a broad cross-section of Syrian opposition groups, including with the Syrian Opposition Coalition. The American people, including Syrian-Americans, have contributed generously and have organized to provide assistance to Syrians in need.

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2. Ukraine

See Chapter 9 for U.S. statements regarding the territorial integrity of Ukraine in light of Russian intervention and the illegal referendum on Crimea in March 2014. See also Chapter 16 for a discussion of U.S. and international sanctions imposed on Russia in response to its actions in Ukraine.

3. Lord's Resistance Army

On March 24, 2014, the State Department issued a fact sheet on U.S. support for regional efforts to counter the Lord's Resistance Army. The March 24 fact sheet, excerpted below, is available in full at www.state.gov/r/pa/prs/ps/2014/03/223844.htm.

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In May 2010, President Obama signed into law the Lord's Resistance Army (LRA) Disarmament and Northern Uganda Recovery Act, which reaffirmed the U.S. commitment to support regional partners' efforts to end the atrocities of the LRA in central Africa. For nearly three decades, the LRA has murdered, raped, and kidnapped tens of thousands of innocent men, women, and children. As of December 2013, the United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) estimated that approximately 326,000 people were displaced or living as refugees across the Central African Republic (CAR), the Democratic Republic of the Congo (DRC), and South Sudan as a result of the LRA threat.

The United States' comprehensive, multi-year strategy seeks to help the Governments of Uganda, the CAR, the DRC, and South Sudan as well as the African Union and United Nations to mitigate and end the threat posed to civilians and regional stability by the LRA. The strategy outlines four key objectives for U.S. support: (1) the increased protection of civilians; (2) the apprehension or removal of Joseph Kony and senior LRA commanders from the battlefield; (3) the promotion of defections and support of disarmament, demobilization, and reintegration of remaining LRA fighters; and (4) the provision of continued humanitarian relief to affected communities.

There are significant challenges in pursuing small groups of LRA and protecting local populations across this vast, densely-forested area that lacks basic road and telecommunications infrastructure. The United States—through the Department of Defense, Department of State, and U.S. Agency for International Development—has pursued innovative, multi-faceted efforts to help regional partners overcome those challenges.

Over recent years, the national military forces working as part of the African Union Regional Task Force (AU-RTF) and affected communities have significantly reduced the LRA's capacity to attack civilians and wreak havoc. Between 2010 and 2013, based on reporting from UN OCHA, there was a 50 percent decrease in the number of people abducted by the LRA and a 75 percent decrease in the number of people killed by the LRA. Since 2012, the African Union-led forces have removed two of the LRA's top five commanders from the battlefield, and we have credible reporting that a third, Okot Odhiambo—who was the LRA's second-in-command

and an International Criminal Court indictee—was killed late last year. During that time, the number of defections and releases from the LRA has also dramatically increased, further reducing the LRA's capacity. According to UN reporting, as of December 2013, the number of people displaced by the LRA threat had decreased by over 25 percent from a year ago.

The lines of effort in which the United States is engaged include:

Increasing Civilian Protection: The protection of civilians is a priority for the U.S. strategy. National governments bear responsibility for civilian protection, and the United States is working to enhance their capacity to fulfill this responsibility. The United States also strongly supports the United Nations peacekeeping missions in the DRC and South Sudan. We continue to work with the United Nations to help augment its efforts in the LRA-affected region. At the same time, we are working with other partners on projects to help reduce the vulnerability of LRA-affected communities and increase their capacity to make decisions related to their own safety. To promote the protection of civilians, the Department of State and USAID are funding communication networks, including high-frequency radios and cell phone towers, to enhance community-based protection in the CAR and the DRC. Under a USAID-funded public private partnership with Vodacom Congo, cell phone towers are now operational in LRA-affected areas northeastern DRC. The USAID-funded Secure, Empowered, Connected Communities Program in LRA-affected areas of the CAR is getting underway with community mapping, media training and community radio activities.

Enhancing Regional Efforts to Apprehend LRA Top Commanders: On November 14, 2011, the United Nations Security Council commended ongoing efforts by national militaries in the region to address the threat posed by the LRA, and welcomed international efforts to enhance their capacity in this respect. The Council noted the efforts of the United States, which, since 2008, has provided critical logistical support, equipment and training to enhance counter-LRA operations by regional militaries. In October 2011, the United States also deployed a small number of U.S. military forces to serve as advisors to the national military forces working as part of the AU-RTF to pursue senior LRA commanders and to protect civilians. The U.S. military advisors are working to facilitate coordination, information sharing, and tactical coordination amongst regional forces; enhance the capacity of the regional militaries to fuse intelligence with effective operational planning; promote defections from LRA ranks, and support efforts to improve civil-military relations through increased coordination and communication with local populations and NGOs. The State Department has deployed a field officer to work alongside U.S. military advisors. In addition, to augment ongoing efforts to bring the LRA's top leaders to justice, the Secretary of State authorized rewards for up to \$5 million for information leading to the arrests and/or conviction of top LRA leaders Joseph Kony, Okot Odhiambo, and Dominic Ongwen.

Encouraging and Facilitating LRA Defections: Working with regional forces, local partners and non-governmental organizations, U.S. military advisors and diplomats have significantly expanded efforts to promote defections from the LRA's ranks – using leaflet drops, radio broadcasts, aerial loudspeakers, and the establishment of reporting sites where LRA fighters can safely surrender. For example, U.S. military advisors have helped to airdrop more than one million leaflets encouraging defections at seventeen locations across LRA-affected areas of the CAR, the DRC, and South Sudan. In early December 2013, 19 individuals, including nine Ugandan males, defected from the LRA in the CAR. This was the largest LRA defection since 2008 and signals that ongoing efforts to promote defections are working. The United States also continues to support efforts across the affected countries to demobilize and reintegrate

former LRA fighters and all those victimized by this conflict back into normal life. In Fiscal Year 2010 through 2013, USAID provided approximately \$8.5 million in assistance to UNICEF to support the rehabilitation and reintegration of former abducted youth in CAR and the DRC and other youth affected by LRA atrocities.

Providing Humanitarian Assistance: The United States is the largest bilateral donor of humanitarian assistance to LRA-affected populations in the CAR, the DRC, and South Sudan. Since 2010, the United States has provided more than \$87.2 million to support the food assistance and food security, humanitarian protection, health and livelihoods initiatives, and other relief activities for internally displaced persons, refugees, host community members, and other populations affected by the LRA. The United States also continues to provide development assistance to support the return of displaced people, reconstruction, and recovery in northern Uganda, where the LRA carried out its brutal campaign for nearly two decades until it fled Uganda in 2006. With the LRA's departure and Ugandan and international recovery and development efforts, northern Uganda has undergone a significant post-conflict reconstruction and recovery in just a few years.

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4. Central African Republic

On January 28, 2014, the UN Security Council adopted resolution 2134 on the crisis in the Central African Republic. U.N. Doc. S/RES/2134. Ambassador Power delivered remarks on the resolution, excerpted below and available at <http://usun.state.gov/briefing/statements/220717.htm>.

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The situation in the Central African Republic (CAR) is dangerous and it is deadly. The United States reaffirms its commitment to the people of CAR, many of whom are living in mortal fear of attack, and to bringing relief to the nearly 2.6 million people in desperate need of humanitarian assistance.

The Security Council's adoption today of a renewed and more robust mandate for the UN Integrated Peacebuilding Office in the Central African Republic (BINUCA) will allow the UN's political mission to work directly with the CAR's transitional authorities to strengthen government institutions. It is now imperative that the UN Secretariat increase the resources available to BINUCA so that it can fulfill this important mandate.

The resolution also creates a framework for the imposition of targeted sanctions, including travel bans and asset freezes on individuals who threaten the country's political process and who have committed atrocities. To break the cycle of violent retribution underway, the people of CAR—those who have fled their homes, who have seen their loved ones murdered, and who are in dire need of food and shelter—need to see that political spoilers and instigators of atrocities will be held to account. Accountability is essential if the people of CAR are to engage in an urgently-needed reconciliation process.

Crucially, the resolution provides a Chapter VII mandate for the European Union (EU) troops who are urgently needed on the ground to help reinforce African Union (AU) and French military efforts to enhance security.

The challenges in CAR are great, and BINUCA and the AU, French, and EU forces will need to cooperate closely in order to improve security, foster political dialogue, and facilitate humanitarian assistance. In all of these efforts, the United States will remain a committed partner.

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On April 10, 2014, the UN Security Council adopted resolution 2149 authorizing a UN peacekeeping operation for the Central African Republic. The State Department issued a press statement confirming United States support for the resolution and the mission, excerpted below and available at www.state.gov/r/pa/prs/ps/2014/04/224657.htm.

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The United States commends the United Nations Security Council for its leadership in adopting a forward looking resolution today to address the crisis in C.A.R. Today's resolution authorizes establishment of a UN peacekeeping operation in September 2014, which will build on the strong work and sacrifices made by the African Union-led International Support Mission in C.A.R. (MISCA) and French forces, as well as the EU forces that will soon join them. The new UN integrated mission in C.A.R. (MINUSCA) will have the responsibility not only to protect civilians and establish a safe environment for delivery of humanitarian assistance, but also to help support the reestablishment of governance, assist in election preparations, facilitate the disarmament and demobilization of combatants, assist in reconciliation, promote and protect human rights, and support the formation of accountability mechanisms for those responsible for human rights abuses.

We will continue to work tirelessly with our international partners to hold accountable all individuals responsible for atrocities committed in C.A.R. We look forward to working within the Security Council to ensure appropriate targeted sanctions are levied against political spoilers and those individuals perpetrating human rights abuses.

The United States is committed to working with the United Nations and the international community to support the efforts of the C.A.R. transitional government to end the violence and build a transitional political process leading to democratic elections by February 2015. The United States has committed up to \$100 million to transport, equip, and train MISCA troops and to assist French forces supporting MISCA. We recently announced an additional \$22 million in humanitarian aid for the people of C.A.R., bringing our total in FY 2014 to nearly \$67 million, and \$7.5 million for conflict mitigation, peace messaging, and human rights programs in C.A.R.

5. Sudan

On June 20, 2014, the State Department issued a press statement condemning the Sudanese Armed Forces' bombing of civilians in Sudan's Southern Kordofan area. The statement follows and is also available at www.state.gov/r/pa/prs/ps/2014/06/228163.htm.

The United States strongly condemns the Sudanese Armed Forces (SAF) aerial bombardment in Southern Kordofan and reiterates its call upon the Government of Sudan to halt this three-year campaign of armed violence against its own citizens.

Increased military activity in Southern Korodfan since May has killed, wounded, and displaced civilians and damaged public and humanitarian infrastructure, including schools and medical facilities. Of specific concern is the June 16 bombing of the Medecins Sans Frontieres hospital in Farandalla, Southern Kordofan, which damaged the facility and wounded several civilians including hospital staff.

The location of the hospital—a clearly marked humanitarian facility—was widely known. Sudan appears to have deliberately targeted the hospital, exacerbating an already critical humanitarian situation in the area. Targeting of humanitarian facilities represents a willful effort to harm civilians by removing their access to basic, life-saving services. Such attacks call into question the Government of Sudan's sincerity in calling for a National Dialogue to address issues of peace and political and economic reform.

The "Troika"—governments of the United States, the United Kingdom, and Norway—continued efforts to help end the conflicts in Sudan in 2014. On December 23, 2014, the Troika issued a joint statement on peace talks in Sudan, excerpted below and available at www.state.gov/r/pa/prs/ps/2014/12/235501.htm.

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The members of the Troika (the United Kingdom, Norway, and the United States) welcome the ongoing efforts of President Thabo Mbeki and the African Union High Level Implementation Panel (AUHIP) to help bring an end to the conflicts in Sudan, and to help initiate a process of genuine national dialogue.

The AUHIP's "one process, two tracks" mediation presents the best opportunity to secure synchronized Cessations of Hostilities agreements in Darfur and the Two Areas. This would open the way to a fuller discussion of the root causes of Sudan's conflicts, of political and economic reform, and of national identity, through an inclusive and comprehensive National Dialogue.

It is therefore deeply disappointing that the recent peace talks in Addis Ababa ended without agreement. We call on all parties to return to the talks in January 2015 with a mandate to achieve peace. In the absence of progress, the situation in Darfur and the Two Areas continues to deteriorate. Over 430,000 people have been displaced by conflict in Darfur and more than 100,000 in the Two Areas since the start of the year. We call on all parties to the conflict to stop all acts of violence, immediately provide unfettered humanitarian access, and take the steps necessary to advance the peace process.

We are also deeply concerned by the arrest of opposition and civil society members following their recent return to Khartoum. These actions run counter to the aims of a comprehensive and inclusive National Dialogue. We call on the Government of Sudan to immediately release those that have been detained and create a climate conducive to a genuine National Dialogue.

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6. South Sudan

On January 23, 2014, the Government of South Sudan and the opposition forces in South Sudan signed a ceasefire agreement that was welcomed by the United States. The State Department's January 23 press statement on the signing of the cessation of hostilities, available at www.state.gov/r/pa/prs/ps/2014/01/220558.htm, is excerpted below.

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...This agreement is a critical first step toward building a lasting peace in South Sudan, but it is only the beginning of a much longer process to resolve the underlying causes of the conflict, to foster reconciliation, and to hold accountable those who committed horrific abuses against the South Sudanese people.

We call on all of South Sudan's leaders to honor their commitments to the people of South Sudan by working quickly and earnestly toward an inclusive and comprehensive political dialogue. With the Intergovernmental Authority on Development (IGAD) and other friends of South Sudan, we will continue our efforts to expedite the release of the detainees and ensure their meaningful participation in a political dialogue.

It is also important to ensure that assistance can reach the hundreds of thousands of people who have been affected by this conflict. To this end, we call on all parties to facilitate the immediate and unfettered provision of humanitarian assistance to all those in need in South Sudan, regardless of where they are located.

We congratulate the IGAD mediation team for its crucial work in realizing this critical step in resolving the conflict in South Sudan. The United States continues to stand with the people of South Sudan, the United Nations Mission in South Sudan, humanitarian actors, and all those that continue to work under difficult and dangerous circumstances to alleviate the suffering and protect innocent civilians affected by this crisis.

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Ambassador Samantha Power also issued a statement on January 23 welcoming the signing of a cessation of hostilities in South Sudan. Her statement, available at <http://usun.state.gov/briefing/statements/220575.htm>, appears below.

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Today's signing of a cessation of hostilities between the Government of Sudan and the opposition forces is a first step in the right direction. More innocent lives are being lost every day this conflict goes on. We call on both parties to abide by the cessation of hostilities agreement, cooperate on addressing root causes of the conflict, and create a safe space for the kind of political dialogue needed to bring about stability for the people of South Sudan.

The UN has a long history of supporting the well-being of the people of South Sudan. It is for that reason that the United States strongly condemns recent attacks on and threats against the UN Mission in South Sudan (UNMISS), including the attempt by Sudan People's Liberation Army forces and senior South Sudanese government officials to forcibly enter the UN compound in Bor.

Attacks on and threats against the United Nations are unacceptable and must cease immediately. All parties must cooperate fully with UNMISS and allow it to carry out its mandate without obstruction, and South Sudan must meet its obligations under the Status of Forces Agreement with UNMISS. Those who have fired on UN peacekeeping bases, raided UN and NGO offices and warehouses, and killed those delivering humanitarian assistance must be held to account.

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The January ceasefire agreement had little effect in stopping the violence in South Sudan. The remainder of 2014 in South Sudan was marked by attacks on civilians and UN mission sites, as well as ongoing fighting between the Government of South Sudan and opposition forces. The United States responded by imposing targeted sanctions on those threatening the peace in South Sudan, as discussed in Chapter 16. Ambassador Power repeatedly condemned those fueling the violence in South Sudan at the UN, as she did on February 21, 2014 in the statement excerpted below and available at <http://usun.state.gov/briefing/statements/221885.htm>.

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The United States condemns in the strongest possible terms the fighting between the Government of South Sudan and opposition forces outside the UN Mission in South Sudan (UNMISS) compound in Malakal, where approximately 21,000 internally displaced persons are currently sheltered.

Threats and attacks against UNMISS sites, and the civilians protected therein, are unacceptable and must cease immediately. All parties should regard UNMISS sites as inviolable: the civilians sheltering at such locations must be afforded every protection and the delivery of humanitarian assistance to those sites must not be obstructed. The United States will work within the Security Council and with other regional partners to hold accountable those individuals who have fired on UNMISS bases, looted UN and NGO offices, and killed humanitarian workers delivering assistance to innocent civilians in South Sudan.

The violence in Malakal is the latest violation of the January 23 Cessation of Hostilities agreement. We call on both sides to abide by the terms of that agreement and engage constructively in negotiations led by the Intergovernmental Authority on Development (IGAD). The continuing conflict threatens regional stability and denies the people of South Sudan the security and economic stability that is their due. IGAD's effort to mediate a solution to the crisis, which the United States supports, offers both sides an opportunity to give priority to the future wellbeing of South Sudan.

The United States fully supports the critical work of UNMISS in helping lay the ground work for a stable future, especially in its efforts to protect civilians in Malakal and throughout South Sudan. The Government of South Sudan has an obligation to ensure UNMISS is able to carry out its mission to protect civilians and should cooperate with UN and NGO personnel working to provide humanitarian assistance to those in need.

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Ambassador Power again condemned the ongoing violations of the ceasefire agreement in a statement at the UN on April 3, 2014, available at <http://usun.state.gov/briefing/statements/224389.htm>. On April 17, 2014, Ambassador Power delivered another statement condemning attacks against civilians and the UN Mission in South Sudan. Her April 17 statement is available at <http://usun.state.gov/briefing/statements/224969.htm>. And on April 24, Ambassador Power spoke again on South Sudan at the UN, condemning the ongoing targeting of civilians based on their ethnicity. Her April 24 statement is available at <http://usun.state.gov/briefing/statements/225121.htm>. On May 2, 2014, at a Security Council briefing on South Sudan, Ambassador Power delivered another statement condemning the targeting of civilians and interference with the UN mission. Her May 2 statement is excerpted below and available at <http://usun.state.gov/briefing/statements/225563.htm>.

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... Instead of ceasing hostilities, as pledged three months ago, the parties have chosen to intensify fighting and to do so in ways that have shredded humanitarian norms. In April, forces loyal to former Vice President Machar attacked civilians in Bentiu, pursuing them into a hospital, a church and a mosque, killing at least 200 and likely many, many more, and leaving the dead laying in the streets. In Bor, against a backdrop of hostile rhetoric against the United Nations by senior South Sudanese government officials, several hundred armed youths entered the UNMISS camp by force and fired on displaced civilians in an ethnically-motivated assault that was as cowardly as it was ruthless. The death toll in the clash exceeded 110, including 48 civilians who were fleeing for their lives.

Violence against civilians has also taken place in Juba, Malakal, and Wau, accompanied by sexual abuse and the recruitment of child soldiers. We have also heard the ominous appearance of radio broadcasts that foment ethnic hate and incite further violence. And as we all know, more fighting means more displaced civilians in need of safe haven and sustenance, more lives disrupted, more schools closed, and an even larger burden for the increasingly hard-pressed UN, relief agencies, and donors.

We recall the jubilation less than three years ago when South Sudan achieved its independence. Amid honking horns and vivid expressions of national pride, cheering citizens raised their new flag and newly-appointed diplomats took their seats in the UN General Assembly. Friends of South Sudan who were familiar with the many sacrifices that preceded that day celebrated. Exiles returned home to help the new nation get on its feet. The international community lent ample support, including a UN mission that pledged to work hand in hand with the government and the Sudanese people to help build this new state. Civil society pitched in. And the vast majority of South Sudan's citizens focused on the hard work of bolstering their economy and building stronger communities. But a country requires effective leadership and in South Sudan—after a promising start—the leaders in office and in the opposition have chosen to place personal rivalries and suspicions above the best interests of their country. Those fueling this conflict—many of the very same individuals instrumental in bringing about South Sudan's independence—have chosen coercion over cooperation, and violence over the democratic process. The result is catastrophe.

...[I]t is unconscionable that South Sudan's leaders have failed to take the steps necessary to restore peace and end the needless suffering of their people. The continuation of this failure could very well push the country further into a cycle of retaliatory ethnic killing, a deepening civil war, and an even more devastating humanitarian disaster that will worsen further with the full onset of seasonal rains and the looming prospect of famine.

To prevent this, we call on all sides to do right by the people of South Sudan, who placed their trust in you, and by the international community, who stood by you for decades and promised to roll up our sleeves and help you build your new country. Cease offensive military actions as you promised to do when you signed the Cessation of Hostilities. Allow UNMISS to carry out its mandate without harassment, threats, or fear of assault, to protect the people of South Sudan. Respect the rights and dignity of every citizen, regardless of their ethnicity. Enable the unfettered delivery of humanitarian supplies. Stop the warlike rhetoric and the incitement to violence, and publicly condemn any and all attacks on civilians. Return in good faith to the peace process moderated by the Intergovernmental Authority on Development. Cooperate with UN and AU human rights investigators and monitors. Resolve your differences by peaceful means. And don't just promise to do all of this as you have before—mean it and do it—and do it now.

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I emphasize that the United States strongly supports the critical work of the UN Mission in South Sudan, as well as the relief agencies doing their best, under difficult conditions, to meet the needs of men, women and children in dire straits. I remind the government of South Sudan that it has an obligation to the international community to prevent attacks on the UN and these agencies. That means the government itself . . . must cease intimidation, harassment, and slander about the UN Mission and its personnel. In the coming days, my government will join in circulating a resolution that will revise the mandate of UNMISS to focus more fully on civilian protection, human rights monitoring and investigation, and the delivery of food and other emergency supplies. Given the key role UNMISS plays, this Council should take up that resolution with the urgency that this crisis demands.

Those who choose the path of further violence and hate have been given fair notice: No one has license to attack UN peacekeepers, international monitors, or civilian noncombatants of any nationality or ethnicity. No one has the right to target others because of their ethnicity, to incite violence, or to breach the protective walls of a UN base. Those who ignore this warning should have no doubt that the international community will do all within its power to hold those individuals accountable. The culture of impunity must end.

My colleagues, it is imperative that we remain determined and united in pressing the government and leading opposition figures in South Sudan to reverse their dangerous course, and genuinely—actually—pursue peace. Last month, the world stopped for a moment to remember the genocide that took place in Rwanda twenty years ago. President Kiir attended that ceremony to pay his respects. Now President Kiir, former vice-president Machar, and other rebel leaders have a duty to themselves and to their fellow citizens to pull their country back from the abyss. It is not too late. But the window is closing. Thank you.

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On May 27, 2014, the Security Council adopted resolution 2155, extending the mandate of the UN Mission to South Sudan (“UNMISS”). Ambassador Power delivered a statement for the United States on resolution 2155, excerpted below and available at <http://usun.state.gov/briefing/statements/226572.htm>.

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Today, the Security Council unanimously adopted a resolution that not only renews the mandate for the UN peacekeeping mission in South Sudan (UNMISS), but focuses the mission on the core activities of protecting of civilians; monitoring and investigating human rights abuses; and facilitating the delivery of humanitarian assistance. Today’s resolution also locks in the increased troop levels that the Council authorized as a temporary measure for UNMISS in December.

We welcome the willingness of countries from the East African regional organization, the Intergovernmental Authority on Development (IGAD), to contribute a regional force to UNMISS as part of the new troop complement, as well as its continued leadership as mediators of the political process, including through Ethiopian Prime Minister Hailemariam Desalegn’s work as

IGAD Chair. This troop contribution will be vital to supporting the new UNMISS mandate and to providing protection to the personnel from IGAD's Monitoring and Verification Mission who are monitoring the Cessation of Hostilities agreement signed on January 23.

Streamlining UNMISS's activities means focusing the mission on the needs of the people of South Sudan. The escalating ethnic violence that broke out in December and gave rise to horrible attacks like those last month in Bentiu and Bor, along with the absence of a credible peace agreement, demanded that this Council prioritize the safety and well-being of the South Sudanese people first and foremost, and that UNMISS no longer provide direct support to the government. However, the UN's commitment to the people of South Sudan remains steadfast, and UNMISS remains a force for security and accountability in the country.

South Sudan teeters on the verge of total chaos. A possible famine looms on the horizon. As a result of the violence, more than 1.3 million people have been displaced from their homes, including over 370,000 refugees who have fled to neighboring countries. Farmers have been unable to plant and tend their crops. For South Sudan, which was already a food-insecure country, the missed planting season promises only a bitter harvest of severe malnutrition and starvation. The United States has provided over \$433 million this fiscal year in humanitarian assistance, including a new assistance package of nearly \$300 million the United States announced at the pledging conference in Oslo on May 20. We urge everyone who promised assistance in Oslo to fulfill their pledges as quickly as possible.

No amount of humanitarian assistance, however, will bring lasting peace to South Sudan. The desperately needed political solution to this man-made crisis must begin with the country's political leaders. President Salva Kiir and former vice president Riek Machar have continually failed to implement the Cessation of Hostilities Agreement they signed in January, and recommitted to personally in Addis Ababa on May 9. They bear the greatest responsibility for the surge of violence and economic instability. It is up to them to look beyond their narrow political interests and embrace a fully inclusive national dialogue aimed at building a lasting peace. The people of South Sudan deserve nothing less.

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Violence continued in August, including attacks on civilians and aid workers. Ambassador Power's August 6, 2014 statement at the UN condemned ethnically motivated killings and called on the Government to protect humanitarian workers. That statement is available at <http://usun.state.gov/briefing/statements/230349.htm>.

On September 25, 2014, the UN General Assembly held a high-level meeting on South Sudan. Counselor to the U.S. Department of State, Thomas A. Shannon, Jr., attended on behalf of Secretary Kerry. His statement is excerpted below and available at <http://usun.state.gov/briefing/statements/232178.htm>.

* * * *

I recently traveled to Nairobi and Addis Ababa to discuss with our African friends a great many issues of mutual interest, including the events taking place in South Sudan. As many of you know, the political and humanitarian crisis is sure to worsen if fighting continues between the Government of South Sudan and opposition forces. The two are inextricably linked. As a result

of the fighting, more than 40 percent of the population requires emergency humanitarian assistance. 1.7 million people have been forced from their homes, including nearly 100,000 individuals who are seeking refuge at UN Mission in South Sudan (UNMISS) compounds in fear for their safety should they leave. The thousands of deaths in South Sudan that have occurred since the parties signed the Cessation of Hostilities agreement in January are deeply troubling, and unnecessary.

Resolving the conflict will require serious negotiations toward a political solution that honors the commitments made on May 9 and June 10 to implement the Cessation of Hostilities agreement and establish a transitional government of national unity. Despite IGAD's efforts, we have yet to see the two factions come to an agreement on the substantive political issues.

If the talks in Bahir Dar do not result in the parties moving from finger pointing to real negotiations and concessions needed for peace, it is evident that greater external pressure will be needed. South Sudan's neighbors and the international community need to speak with one voice and should not hesitate to use tools that will increase pressure on both parties. The purpose of these tools is to compel the government and opposition forces to shape and outline the tasks of a transitional government. Punitive measures, including multilateral targeted sanctions on individuals who have undermined peace and security in South Sudan, is one such instrument. The United States has acted accordingly by sanctioning on September 18 two South Sudanese individuals.

The humanitarian situation that we are witness to is a man-made catastrophe and a direct outgrowth of the intransigence of the Government of South Sudan and opposition forces. If security issues are not properly addressed, if the violence continues, and if humanitarian access remains hindered, a large-scale food insecurity crisis is unavoidable in 2015. The Government of South Sudan and opposition forces must cooperate fully with the humanitarian relief effort. They should stop arbitrary and needless obstruction and delays of humanitarian relief activities. We strongly condemn the attacks on IDPs and aid workers. Forced military recruitment of refugees, IDPs, humanitarian staff and especially of children must end immediately. While we welcome the reversal of policies that would have limited foreign aid workers and humanitarian access to critical infrastructure at Juba airport, these policies should never have been contemplated in the first place, especially not in the midst of the ongoing humanitarian disaster.

UNMISS has an important role to play on the ground, including in addressing the humanitarian crisis. It will be essential for the mission to be proactive in implementing the revised UN Security Council mandate as it relates to protecting civilians while building conditions to allow internally displaced persons (IDPs) to return home. The United States supports SRSG Løj's efforts to manage and resource the mission in accordance with the mandate and to maintain active coordination with and force protection to the IGAD Monitoring and Verification Mechanism.

The United States is committed to the people of South Sudan and is the leading humanitarian assistance donor, having allocated more than \$636 million in humanitarian assistance this fiscal year. We are grateful to our international partners, including members of the NGO community, for their contributions and efforts to address the crisis. Despite these combined efforts, additional resources will be needed to continue life-saving aid operations that are desperately needed. To date, the international community has contributed only about half of the \$2.5 billion the United Nations is calling for to meet critical humanitarian needs of both South Sudanese who have been affected and those who have fled as refugees. We urge other donors to join us in seizing the moment and responding robustly to prevent the worst possible

consequences. Our call also extends to the Government of South Sudan since the ultimate price is now being paid for by the South Sudanese people. It is high time the Government of South Sudan and opposition forces heed the call of neighbors and the international community to prevent needless suffering and to make peace. Such actions are emblematic of leadership and responsible governance that the people of South Sudan so desperately need.

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On December 15, 2014, Ambassador Power issued a final statement at the UN for 2014 on South Sudan, summarizing the year of violent conflict. Her statement is excerpted below and available at

<http://usun.state.gov/briefing/statements/235127.htm>.

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On September 23, 2011, only months after South Sudan gained its independence and joined the United Nations, President Salva Kiir climbed the dais at the UN to address the General Assembly for the first time. He spoke of South Sudan's commitment to political pluralism and "to fostering world peace and prosperity for the benefit of all humankind." A year later, in his first speech before the UN General Assembly, then-Vice President Riek Machar reiterated that promise, and asked that South Sudan's friends around the world continue supporting the country's political and economic goals. The world stood with South Sudan from the outset. In 2011, the UN Security Council established the UN Mission in the Republic of South Sudan (UNMISS) to help the young nation consolidate peace and security and to assist laying the groundwork for future development in the years following its independence.

Despite the international community's support for South Sudan's independence, the nation's political and military leaders have unleashed a conflict that has devastated the country. One year ago today, internal political fighting turned bloody on the streets of Juba in clashes between Dinka and Nuer soldiers. That event quickly metastasized into a broader ethnic and armed conflict, unleashing a wave of targeted attacks on civilians that has produced a political, economic and humanitarian crisis of colossal proportions and that threatens regional stability. In one year of violence, it's estimated that tens of thousands of people have been killed. There are 1.9 million internally displaced people and nearly 500,000 refugees in neighboring countries. Civilians have been murdered as they sought shelter in churches and mosques, and have been forcibly recruited to fight in militias. The risk of a man-made famine once again hangs over the country.

The United States again condemns in the strongest possible terms the ongoing violence in South Sudan, and we remain deeply concerned by the government and opposition's persistent failure to negotiate a peaceful resolution to the crisis. When the UN Security Council visited Juba in August of this year, I made very clear during our conversations with both leaders that the United States and the United Nations expected both sides to uphold their previous agreements to end hostilities and negotiate earnestly both peace and a transitional government framework.

The United States urges South Sudan's leaders to engage more urgently and more seriously in the Inter-governmental Authority on Development-led peace talks in Addis Ababa. We stand ready to work with South Sudan's leaders if they take concrete steps toward peace. We

are equally prepared to work with the international community, including the UN Security Council, to hold political spoilers and human rights abusers accountable.

The United States reaffirms its support for UNMISS and urges those countries that have committed troops and equipment to the mission to deploy them quickly. UNMISS must operate at full strength, and it must protect civilians. With over 102,000 people seeking refuge at UNMISS facilities, we remind all parties that UN sites, facilities, personnel and all sheltering civilians must be protected, and that attacks on those facilities, the forces guarding them, and the civilians sheltering inside could constitute war crimes. We further stress that UN and other humanitarian agencies must have safe, unfettered access to those in need of assistance throughout the country.

The commitment of the United States to the people of South Sudan is unwavering. But all the good will and humanitarian assistance in the world are no substitute for the difficult compromises necessary to end man-made violence and begin the process of accountability and reconciliation needed to build a sustainable future. Today, the country is at a crossroads. Its political and military leaders must demonstrate courage and lead the nation out of this horrific, self-inflicted, and pointless cycle of violence. If they do not take the necessary steps for peace, they will own the responsibility for war and mass atrocity—just what they fought to erase when they secured independence for South Sudan.

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Also on December 15, 2014, the Washington Post published an editorial by Secretary Kerry and National Security Adviser Susan E. Rice urging South Sudan's leaders to end the fighting. The Washington Post article appears below and is also available at <http://www.state.gov/secretary/remarks/2014/12/235128.htm>.

* * * *

In 2011, the world's newest nation was born amid joyous celebrations. The international community welcomed South Sudan not just with cheers but also with promises of help. The hope and promise of that day are now at grave risk of being squandered if the nation's leaders don't at long last provide leadership.

Violence that erupted in the capital city of Juba last December spread quickly, claiming the lives of thousands of men, women, and children and reopening bitter ethnic divisions. In the time since, almost 2 million people have been displaced from their homes, while residents in some parts of the country face the risk of famine. In a country that has so much potential and that has endured decades of conflict, the suffering and violence have had a devastating effect.

The tragedy is especially hard to accept because the violence was not imposed on South Sudan by outside forces; instead it was unleashed by a political dispute among the country's leaders. Now, the responsibility is on their shoulders to halt the bloodshed and bring their country together. After months of delay and false pledges, both sides must return to negotiations, make necessary compromises and finally end this conflict without further delay. Barren vows

and rosy words are not enough; too many people have died while too many promises have been broken. It is past time for South Sudan's leaders to take responsibility and end the fighting.

To move forward, a transitional government with a mandate to create security agencies that protect all of South Sudan's people—regardless of ethnicity or political alignment—is imperative. That government must develop a transparent system for managing the country's resources and agree on an inclusive constitutional drafting process that focuses on improved governance. Given the level of past violence, a reconciliation plan must also be established, accompanied by efforts to investigate atrocities and ensure that those involved are held accountable for their crimes.

The South Sudanese people have many friends throughout the world, and none is more committed to their future than the United States. But the full value of those friendships cannot be realized unless and until the country's leaders put the interests of their people above their own grievances. The United States and our international partners have organized a massive humanitarian aid effort, supported a U.N. peacekeeping force whose members have risked their lives to save civilians and made repeated efforts to encourage reconciliation and a return to peace. We have worked with local and regional partners to document human rights abuses and support religious leaders as they work for reconciliation. All this is helpful, but none of it will be enough in the absence of effective leadership.

Working in close cooperation with our regional and international partners, we will continue to increase pressure on the parties until the violence ends. But we must also be clear that those who choose the path of continued conflict and destruction will face greater consequences.

We do not have the luxury of time. In South Sudan, hunger is often a threat, but when the cycle of planting and harvesting is disrupted, when grazing lands are turned into battlegrounds and when humanitarian convoys are subject to attack, the threat becomes a crisis and the lives of millions hang in the balance. With each passing day, the ranks of the hungry and malnourished grow. This suffering will end only when the guns fall silent.

On this sad anniversary, we salute the men and women of South Sudan who still strive each day on behalf of peace. Our thoughts are with the leaders of the faith communities and civil society groups who have rejected hatred and embraced compassion and with the neighbors who have sheltered and safeguarded one another. South Sudan's leaders would be wise to follow their people's example.

The two of us have traveled to South Sudan many times. We know the country's promise and have seen firsthand the dedication, courage and incredible resilience of its people. We have witnessed the costs of conflict and shared in the exhilaration when it appeared that the years of fighting had given way to a new era of freedom and peace. We remember the long lines of voters standing and waiting with patient exuberance to vote in their country's referendum and joined with the crowds on independence day to celebrate the realization of peaceful self-determination.

Now, the whole world is watching to see what the leaders of South Sudan will do. Will they continue on the path of conflict and condemn their country to another year of suffering? Or will they make the hard choices, work together and restore to their country the hope that its citizens so richly deserve? For the sake of all the people of South Sudan, the choice must be for peace.

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7. Peacekeeping Reform

On November 7, 2014, Ambassador Power delivered a speech at the American Enterprise Institute on UN peacekeeping reform. Her remarks are excerpted below and available at <http://usun.state.gov/briefing/statements/233866.htm>.

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Even if the United States has an interest in seeing conflict abate or civilians protected, that does not mean that U.S. forces should be doing all of the abating or the protecting. ... Just because we have far and away the most capable military in the world, does not mean we should assume risks and burdens that should be shared by the broader international community.

This is where peacekeeping comes in. When conflicts in Congo, Mali, or South Sudan require boots on the ground to defuse conflict—peacekeeping is often the best instrument we have. Peacekeeping operations ensure that other countries help shoulder the burden, both by contributing troops and sharing the financial costs of operations. Provided that peacekeepers actually deliver on their mandates, multilateral peacekeeping also brings a degree of legitimacy in the eyes of the local population: because missions are made up of troops from multiple countries, with strong representation from the Global South, spoilers and militants have a harder time cynically branding them as having imperialist designs.

Even in places where the United States has decided to deploy troops, we've benefitted from being able to hand off to the United Nations—as we did in Haiti—allowing the peacekeeping operation, then, to provide longer-term support for security, rule of law, and political transition.

The multilateral nature of peacekeeping helps address the free-rider problem we see today in so many matters of international security—from the spread of Ebola, to the rise of ISIL, to the recruitment of foreign terrorist fighters—whereby countries with vested interests in addressing threats rely on the United States to do the lion's share of the work. Peacekeeping gets other countries to stand up, rather than stand by.

So, we start from the premise that—in a world where we have a vested interest in seeing violent conflicts curbed and seeing suffering prevented—America needs peacekeeping to work. But precisely at this moment, when we recognize this crucial role that peacekeeping can play in shoring up U.S. interests, our demands on peacekeeping are outstripping what it can deliver.

Today, we are asking peacekeepers to do more, in more places, and in more complex conflicts than at any time in history.

There are currently sixteen UN peacekeeping missions worldwide, made up of nearly 130,000 personnel, at least 100,000 of them are uniformed military and police, compared to just 75,000 total personnel a decade ago. That's not to mention the more than 20,000 peacekeepers fighting in the African Union's mission in Somalia. To stress, this is by far the most peacekeepers that have ever been active in history. And yet the numbers only tell a small part of the story.

The strain on the system would be challenging enough if we were asking peacekeepers simply to do what they used to do—to monitor ceasefires between two consenting states. But we're giving peacekeepers broad and increasingly demanding responsibilities in increasingly inhospitable domains. We are asking them to contain—and at times, even disarm—violent groups, like the countless rebel groups in the Democratic Republic of Congo. We're asking them to ensure safe delivery of life-saving humanitarian assistance, such as by escorting emergency shipments of food and medicine to civilians, as peacekeepers have done in South Sudan. We are asking them to protect civilians from atrocities, such as those being carried out in the Central African Republic. And we are asking them to help provide stability in countries emerging from brutal civil wars, as in Liberia. And in virtually all of these missions, we are asking them to carry out these duties in countries where governments are extremely weak, and often unable to meet the basic needs of their citizens.

Today, two-thirds of UN peacekeepers are operating in active conflict areas, the highest percentage ever. Peacekeepers often deploy to areas where myriad rebel groups and militias have made clear that they intend to keep fighting. And the warring parties in modern conflicts increasingly include violent extremist groups, who terrorize civilians and view peacekeepers—openly treat peacekeepers as legitimate targets.

But precisely at this moment—when we're asking more of peacekeeping than ever before, and as we recognize the crucial role that it can play—we see both the promise and the pitfalls of contemporary peacekeeping. We see life-saving impact when peacekeepers are willing and able to fulfill their mandates, and we see the devastating consequences when they are not. A few examples:

In South Sudan, where a new civil war has displaced over a million people and killed more than 10,000 just since last December, the UN peacekeeping mission has arguably played a critical role in preventing even more bloodshed. On December 15th, the day that infighting between President Kiir and former Vice-President Machar sent the country spiraling into horrific violence, government soldiers went house-to-house searching for ethnic Nuer men and executing them in the streets. In one incident, soldiers crammed between two and three hundred Nuer men into a small building and then opened fire on them through the windows, killing nearly all of them. In the city of Bor, rebel forces repeatedly targeted the homes of ethnic Dinka, executing the unarmed inhabitants and looting their cattle and other possessions.

In response to the onset of violence, the UN opened the gates of its bases to civilians fleeing the violence, eventually taking in more than 100,000 displaced persons. On a Security Council trip to South Sudan I took in August, I visited the UN base in Malakal, where more than 17,000 people were taking shelter. Rough as the conditions were for the people on the base—and they were rough, many of them were living in foot-deep, filthy water—they told me that at least they had access to food and clean drinking water and protection from deadly attacks, which was more than could be said for the South Sudanese outside of the gates. Two decades earlier, recall, when civilians sought refuge under the UN flag, peacekeepers made a different choice. In April 1994, some 2,000 Rwandan Tutsi had sought refuge in the Don Bosco School in Kigali, which UN peacekeepers were using as a base. Hutu militia had surrounded the school, chanting “Hutu power! Hutu power!” drinking banana beer, and brandishing machetes. Yet when orders came for the peacekeepers to evacuate, they followed orders. They had to shoot over the heads of Tutsi in order to get out—so resistant were the people to letting them go. And not long after the peacekeepers walked out of the school, militia members walked in, butchering virtually everyone inside.

That was then, now we have the UN mission in South Sudan opening its gates and staying with the people at a time of great need. At the same time, South Sudan today demonstrates the continuing challenge of rapidly deploying peacekeepers and the equipment that they need. At the outset of this December conflict, which continues to this day, the Security Council swiftly authorized an emergency surge of 5,500 troops, nearly doubling the number of troops there on the ground in South Sudan. Yet almost one year later, the mission today is still more than 2,000 troops short, severely restricting the mission's ability to project force and provide security for civilians outside the camps. It has also suffered from a chronic shortage of helicopters. And in fact, as some of you may know, there is a shortfall of more than 30 helicopters across UN missions, consistently restricting mobility and effectiveness, often in life-or-death situations.

In the Democratic Republic of Congo, there is similar good news-bad news. After years of stagnancy, the UN mission there has played a really important role in the last year—year-and-a-half—in disarming and defeating powerful rebel groups. Alongside Congolese forces, this effort has been led by a special unit of the mission known as the Force Intervention Brigade. The Brazilian UN force commander, Lieutenant General Carlos Alberto dos Santos Cruz—who has been absolutely critical to a heightened emphasis on preventing atrocities—he told fellow peacekeeping commanders at a recent Security Council meeting to change their mindset, and to stop reporting “just what happened yesterday” and instead start reporting “what we did yesterday,” so the accountability is for what we did in the face of what is happening. And the brigade under dos Santos Cruz has put these convictions into action, neutralizing a number of powerful rebel groups, including the M23, which had committed unspeakable atrocities against Congolese civilians. General Santos Cruz has set an example by putting himself on the front lines of this aggressive effort, participating in patrols with his troops, and even traveling personally to the headquarters of one rebel group to tell its leaders to lay down their arms or face a frontal assault. This is not your mother or your grandmother's peacekeeping.

And yet even with this singular leadership we still see UN peacekeepers in Congo fairly routinely failing to protect civilians. On the evening of June 6th, armed assailants attacked civilians at an outdoor church service in the Congolese town of Mutarule. Many people called the nearby UN base—which was only five miles away—they were begging for help, in some instances they were using the free phones that peacekeepers had provided them for just such an emergency. Yet the peacekeepers sat at their base, later claiming that they thought that local Congolese military commanders would intervene. More than 30 people were massacred, eight of them kids. One victim was a four-year-old boy with mental and physical disabilities, who was burned to death.

These are the stakes of what gets done right and what gets done wrong—or not done, in this case. This incident in Congo is unfortunately not an isolated case—even though the protection of civilians has moved to the heart of contemporary mission mandates. A report by the UN's internal oversight office in March found that in 507 attacks against civilians from 2010 to 2013, peacekeepers virtually never used force to protect civilians under attack. Thousands of civilians may have lost their lives as a result. And this is unacceptable.

In Mali, during the nine months in 2012 and 2013 that extremist groups controlled towns in the North, a teenage girl was whipped 60 times in the streets of Timbuktu for daring to talk to young boys. Music was banned, major mausoleums demolished, and libraries burned. Today, peacekeepers are playing a critical role, alongside the French, to help root out extremists. UN peacekeepers have helped to provide Malians with the security and assurance they needed to

return to their communities, reducing the number of internally displaced persons in Mali by more than sixty percent in the past year. And the peacekeepers' presence has prevented extremists from retaking key cities and towns, such as Timbuktu, where the community is reconstituting its long tradition of religious tolerance and rebuilding its ravaged holy sites.

At the same time though, the peacekeeping mission in Mali faces serious challenges in projecting force over the vast territory north of the Niger River. The mission has struggled to move troops, to establish base camps and sustain them in an austere environment with unusable roads. The mission has had to spend millions of dollars just to transport water to its troops in that environment. Worst of all, UN troops are also facing unprecedented attacks by extremists. Just to give a few examples: on August 16th, a suicide bomber drove a pick-up truck laden with explosives into the heart of a UN camp in the town of Ber and detonated its load. Two Burkinabe peacekeepers were killed, and seven others were wounded. On September 18th, five Chadian peacekeepers were killed when their truck drove over an IED. And on October 3rd, men armed with RPGs on motorbikes ambushed a UN logistics convoy traveling to resupply troops in the field, killing 9 peacekeepers from Niger. Suffice it to say, when the UN created peacekeeping six decades ago, it did not have suicide bombers or IEDs in mind.

Now when we deploy peacekeepers into some of the most complex conflicts of our time, and deploy a rather low number of troops proportional to the tasks that they are being assigned, some of these problems would likely be evident even if the world's most advanced militaries were the ones wearing blue helmets.

Regardless, the problems I've described—slow troop deployment, limited mobility, the challenge of keeping units fed and hydrated in remote areas, and the failure to confront aggressors and protect civilians—are problems that are in the U.S. interest to see addressed. I would like to share four ways that the United States and our partners can strengthen peacekeeping so it can better meet the demands of 21st century conflicts.

First, the pool of countries that deploy troops, police, and military enablers has to expand. UN peacekeeping is increasingly funded by developed countries and manned by developing countries. This is unsustainable and unfair. It will not produce the peacekeeping forces that today's conflicts and our national security demand. And it perpetuates divisions between the two camps, when in reality we have a shared interest in seeing peacekeeping succeed.

That is why Vice President Biden convened world leaders at the UN General Assembly in September for a Peacekeeping Summit, to press for more commitments from capable militaries and to demonstrate our common cause with those who are performing this dangerous task. We are encouraging European militaries, many of which are drawing down from Afghanistan, to return to UN peacekeeping where they played a very active role in the 1990's. We're urging Latin American militaries to deploy outside the Western Hemisphere. And we're asking East Asian militaries to contribute more substantially to peacekeeping, some for the first time. These countries will not only bring more troops to UN peacekeeping operations, but also potentially niche capabilities—such as the surveillance and reconnaissance capabilities that the Dutch and Nordic troops are now bringing to the UN mission in Mali, which should help prevent deadly attacks on peacekeepers and civilians, like the ones that have taken the lives of more than 30 peacekeepers in Mali in the last year.

At the September summit, many of our partners answered the U.S. and the UN call. Colombia announced its intent to deploy its highly capable troops, which have benefitted over the years from U.S. training, to UN peacekeeping. Japan announced that it will change its domestic legislation to permit greater participation in peacekeeping. Indonesia announced that it

will more than double its deployment of troops to UN peacekeeping operations and create a standby force to permit rapid deployment. More than two dozen other countries, from Sweden to Chile to China, made new commitments. We will continue to urge new contributions over the coming year, and world leaders will reconvene in September 2015 to make new pledges to peacekeeping.

As for our own military, in addition to our high profile military efforts in Afghanistan, against ISIL, and against Ebola, the United States also contributes about 1,400 troops to the multinational peacekeeping force in Sinai and the NATO mission in Bosnia. But as Vice President Biden announced at the summit, we are reviewing whether there are gaps that the United States is uniquely positioned to fill. That includes providing critical airlift for UN or AU peacekeepers and building base camps, as we currently are doing for the mission in the Central African Republic. We are also doing more to share our unique knowledge of confronting asymmetric threats, like the ones that peacekeepers are confronting in Mali and Somalia, lessons we learned through more than a decade of war in Afghanistan. And we are doing more to help peacekeeping missions make better use of advanced technology, such as counter-IED equipment, which can improve peacekeepers' ability to project force and to save lives.

Our second goal in this effort is to ensure that countries with the will to perform 21st century peacekeeping have the capacity they need to do so. Because African leaders see first-hand the consequences of unchecked conflicts, several have been at the forefront of embracing a new approach to peacekeeping: seeking to aggressively execute the tasks assigned to peacekeepers and, in particular, the responsibility to protect civilians. The African Union has demonstrated a commitment to building rapid response capability on the continent and the United States is leading a coalition of international partners in support.

To this end, in August, President Obama announced a new initiative at the U.S.-Africa Leaders' Summit: the African Peacekeeping Rapid Response Partnership, A-Prep. The United States will invest \$110 million each year for the next three to five years to build the capacity of a core group of six countries—Ethiopia, Ghana, Rwanda, Senegal, Tanzania, and Uganda. And we are hopeful that our allies in NATO and elsewhere will join this partnership to increase and deepen these capabilities.

The idea is to deepen our investment in those militaries that have a track record of deploying troops to peacekeeping operations and that make a commitment to protecting civilians from violence. To give just one example, Rwanda's troops were among the first boots on the ground when conflict erupted in the Central African Republic. Rwandans understand the importance of getting peacekeeping right, having experienced the catastrophic consequences of it going terribly wrong twenty years ago. And because Rwandans robustly enforce their mission mandates, the people in countries where they serve trust them; troops from other countries who serve alongside them in UN peacekeeping see what robust peacekeeping looks like; and aggressors who would attack civilians fear them.

The United States has trained hundreds of thousands of peacekeepers in the past decade through the Global Peace Operations Initiative, launched under President Bush. A-Prep is an important supplement to that effort. Our military experts will work alongside partners like Rwanda to strengthen their institutions and capabilities so they can rapidly deploy troops when crises emerge, and so that they can supply and sustain their forces in hostile and inhospitable environments. In exchange for this support, these countries have committed to maintain the forces and the equipment necessary to undertake rapid deployment.

Third, we need to build a global consensus in support of the mandates peacekeepers are being asked to undertake. The Security Council first tasked a peacekeeping mission with the responsibility to protect civilians in Sierra Leone in 1999—in the face of that brutal civil war in their country. Today, 10 missions—constituting almost 98 percent of UN troops across the world—are charged with protecting civilians. However, a number of large troop-contributors openly express skepticism at the scope of responsibilities that the Security Council has assigned their troops. These countries cite the traditional principles of peacekeeping—operating with the consent of the parties, remaining impartial between the parties, and using limited force. This approach is understandable. Many of the countries that subscribe to this view served in some of the earliest peacekeeping missions—in which blue helmets were deployed at the invitation of warring parties to observe a ceasefire along a demarcated line, such as one between Israel and Syria, or India and Pakistan. In that context, it was absolutely vital that peacekeepers had the state parties' consent, that they behaved impartially, and that they observed and reported infractions.

But for more than twenty years, peacekeeping has steadily evolved, and we must question how relevant these principles remain to places like Mali and South Sudan, where peacekeepers are called on to defend peace and protect civilians. As Ethiopia's Prime Minister recently argued, we cannot ask extremist groups for their "consent," remain "impartial" between legitimate governments and brutal militias, or restrict peacekeepers to using force in self-defense while mass atrocities are taking place around them.

If peacekeeping is to be effective in the 21st century, we have to close the gap between the mandates the international community asks peacekeepers to undertake, and their willingness to successfully execute those mandates. If we don't, it not only puts the lives of civilians and peacekeepers at risk, but undermines the credibility and legitimacy of peacekeeping everywhere.

Recently, some of the largest and longest-serving troop contributors have demonstrated a willingness to tackle this issue head-on. Over the last year, Bangladesh has conducted a comprehensive internal review to craft a new peacekeeping strategy, aimed at adapting to the demands of contemporary peacekeeping. It has recognized the evolution of peacekeeping and pledged to make the protection of civilians an essential component of its troops' training. Meanwhile, earlier this year, Pakistan swiftly removed a sector commander who failed to deploy his troops to protect civilians under attack, and that sent a message to Pakistan's some 8,000 peacekeepers worldwide that such inaction was not condoned. Just last week, Pakistan declared at the UN that it was committed to "robust peacekeeping to protect civilians."

Translating these shifts in posture into unity of purpose will take time, but these are promising steps, and we will work with our partners and the UN to encourage more like them. In turn, we must take seriously and seek to remedy the troop-contributing countries' understandable frustration that they lack sufficient opportunity to share with the Security Council the practical experience of their troops on the ground to taking on complex and robust mandates which put in harm's way their men and women in uniform.

Fourth, we need to press the UN to make bold institutional reforms. It is easy to criticize the UN for all the problems we see on the ground. But at the same time we create much needed accountability for failures, and for abuses, we should take note of some profound changes that the UN Secretariat has made to peacekeeping since the catastrophic failures of Rwanda and Srebrenica. From doctrinal changes that recognize the new responsibilities of peacekeepers; to better systems for the recruitment and deployment of a vast number of military, police, and civilian personnel; to improved logistics and procurement—the United Nations has made some

advances. Last year, we spearheaded the effort to enact further reforms, including longer troop rotations to preserve institutional memory, financial penalties for troops who show up without the necessary equipment to perform their duties, and financial premiums for troops who are willing to accept higher risks. Incentives and disincentives have to be better leveraged in the service of our shared aims.

Secretary-General Ban Ki-moon has just launched a new strategic review of peacekeeping, the first in nearly 15 years. While we don't expect a mere review to remedy deficiencies in capabilities and shortages in political will, the review should address those shortcomings in peacekeeping that the UN itself, the UN Secretariat as distinct from the UN member states, has the ability itself to fix: inadequate planning, slow troop deployment, uneven mission leadership, unclear and unenforced standards for troop performance, inadequate measures to prevent sexual exploitation and abuse, insufficient accountability for failures to protect civilians, and an inefficient division of labor between peacekeeping operations and other UN agencies.

Most of the issues that I've just described, the UN Secretariat can take a strong leadership role. Member states then in turn have to step up, you have to have both for the reforms that are needed to kick in and make a difference. These four lines of effort are all critical to ensuring peacekeeping better addresses 21st century challenges. They demonstrate the need for U.S. leadership, and to exercise that leadership, the United States must pay our UN dues in full.

I understand the frustration that many Americans feel with the United States paying a substantial share of the peacekeeping budget, and with the U.S. share rising over the past decade due to the formula that the United States negotiated back in the year 2000, which allowed our regular budget contribution share to be capped. We agree that the formula should be changed to reflect the realities of today's world. Until that happens, we also insist on paying our full dues at this critical moment—if we do not, we will dramatically undercut our power to achieve the reforms needed, we will undermine our leadership, and we will potentially underfund important African-led missions, such as the ones in Mali and the Central African Republic.

This does not mean we simply sign over a large check and look the other way. On the contrary, as stewards of taxpayer funds, over the last six years we have pressed hard to improve the cost-efficiency of peacekeeping and to prevent significant new costs. Through U.S.-led reform efforts, the UN has cut the per-peacekeeper costs by roughly 16 percent—that's one-sixth of the cost reduced through efficiencies and streamlining. We've also aggressively fought cost increases, saving hundreds of millions of dollars per year by prevailing on other countries for a more modest increase in the long-frozen reimbursement rates for UN peacekeepers. And we've pressed to streamline and right-size missions, where warranted, by changing conditions on the ground. In the Ivory Coast, we've cut the number of mandated troops in half, from 10,000 to around 5,000. In Haiti, we have reduced the number of mandated troops from nearly 9,000 after the 2010 earthquake to just over 2,000 today. And we were on course to do the same in Liberia prior to the outbreak of Ebola. These efforts ensure that governments do not use peacekeepers as an excuse not to take responsibility for their own citizens' security. And streamlining missions in this manner frees up troops and resources that are needed elsewhere.

We will continue to work relentlessly to make peacekeeping as efficient as possible without undermining its effectiveness, in close coordination with Congress. As Congress reconvenes next week to consider a spending bill, I plan to continue working with a bipartisan group of lawmakers to find a path forward on this critically important issue.

* * * *

We see the many many ways that peacekeepers come up short: the slowness to deploy, the failures to protect civilians, the abuses, the list goes on. But what we cannot see ...is the counterfactual. What would any of the more than a dozen countries where UN peacekeepers are deployed today look like without a peacekeeping presence?

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Yet this “what if” question is one we must ask ourselves with every mission. What would have happened in South Sudan if no UN peacekeepers had been present when Dinka and Nuer began going door-to-door and killing people on the basis of their ethnicity; or if the UN had not opened its gates to those 100,000 people fleeing this violence? What would the Central African Republic look like today if no African Union or European Union peacekeepers, now UN peacekeepers, had come to try to prevent attacks by the anti-Balaka and Seleka militias, who were massacring civilians with abandon?

In all of these instances, the answer is a simple: without peacekeeping, the violence and the suffering would likely have been much, much worse.

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Just because places like Sierra Leone, South Sudan, and the Central African Republic are better off than they would have been without peacekeeping, does not mean the institution is where it needs to be. It is not.

Nor does it mean that we are satisfied with peacekeepers fulfilling parts, but not all, of their mandates; or with peacekeepers standing up to protect civilians some of the time, rather than all of the time. We are not.

When the stakes are as high as they are though in these conflicts ...getting it right some of the time is certainly not good enough. Peacekeeping must be consistently performing and meeting our expectations. And we will keep working with our partners to bring about the kinds of reforms upon which the security of millions of people around the world may well depend.

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8. GAO Determination Regarding U.S. Contributions to UN Peacekeeping

On April 30, 2014, the United States Government Accountability Office (“GAO”) provided its legal opinion to the U.S. House of Representatives that the Department of State’s obligation of amounts in the Contributions for International Peacekeeping Activities appropriation for fiscal year 2013 (“FY 2013 CIPA”) complies with a limitation contained in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012, as carried forward by the Consolidated and Further Continuing Appropriations Act, 2013 (“FY 2013 CR”). The opinion letter is excerpted below (with footnotes omitted) and available at <http://gao.gov/assets/670/662938.pdf>.

In arriving at its opinion, the GAO consulted with the Department of State. The Department of State's letter to the GAO, referenced below, is available at www.state.gov/s/l/c8183.htm, along with State's detailed answers to specific questions posed by GAO.

* * * *

BACKGROUND

The United Nations (UN) is an international organization, of which the United States is a member. State Letter, Enclosure, at 1. In accordance with the UN Charter, as a UN member state, the United States is responsible for paying its share of the UN's expenses, as apportioned by the UN General Assembly. *Id.* For peacekeeping missions, the UN General Assembly has approved assessments for each member state to apportion the expenses for peacekeeping missions. *Id.*, at 2. These assessments are due from each member state each calendar year and the percentage represents the United States' share of the total assessment for the UN peacekeeping operations for an applicable year. *Id.* For calendar year 2012, the assessment rate for the United States was 27.1415 percent. For calendar year 2013, the assessment rate for the United States was 28.3835 percent. *Id.*, at 2. Congress appropriates amounts in State's CIPA appropriation to pay the United States' obligation for peacekeeping assessments.

The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012 contains the following limiting proviso in the FY 2012 CIPA appropriation:

"Provided further, That notwithstanding any other provision of law, funds appropriated or otherwise made available under this heading shall be available for United States assessed contributions up to the amount specified in Annex IV accompanying United Nations General Assembly Resolution 64/220."

The proviso prevented State from obligating amounts in the FY 2012 CIPA appropriation in excess of the 2012 assessment rate of 27.1415 percent. This proviso was carried forward by the FY 2013 CR. As a result, State could not obligate amounts in the FY 2013 CIPA appropriation in excess of the 2012 assessment rate of 27.1415 percent. The UN provided new assessment rates for peacekeeping to each member state in calendar year 2013, and the new assessment rate for the United States was 28.3835 percent. Given the proviso prohibiting State from obligating amounts in the FY 2013 CIPA appropriation in excess of the 2012 assessment rate of 27.1415 percent, the United States was unable to pay in full its assessed calendar year 2013 peacekeeping contribution to the UN from the FY 2013 CIPA appropriation. *Id.*, at 6.

State informed us that it has not obligated funds for international peacekeeping missions from the FY 2013 CIPA appropriation in excess of the 27.1415 percent limitation on its use of its appropriation. *Id.*, at 5. State advised us, however, that the United States would meet its full calendar year 2013 assessed rate of 28.3835 percent after the UN applies "credits" to the United States assessment. *Id.*, at 5–6. Credits result because the annual amounts assessed by the UN are based on UN estimates. At times, the assessed peacekeeping contributions from the member states exceed a peacekeeping mission's actual expenditures in a given calendar year. The UN generally applies the difference as a "credit" to the member state. *Id.*, at 6.

DISCUSSION

At issue here is whether UN peacekeeping credits factor into the amount limitation set out in the proviso on State's use of its CIPA appropriation. If so, State would have to reduce its obligations so that the total United States contribution, consisting of FY 2013 CIPA funds combined with peacekeeping credits, does not exceed the limitation of 27.1415 percent contained in the proviso. As explained below, the proviso, by its very terms, applies to "funds appropriated . . . under this heading." Because the peacekeeping credits are not funds provided in the FY 2013 CIPA appropriation, we conclude that the proviso does not apply.

When the United States pays its assessed contribution to the UN for peacekeeping expenses, these funds become the moneys of the UN and are no longer subject to limitations in federal law. For example, we noted in a prior decision that the United States contribution to the United Nations Relief and Rehabilitation Administration would lose its status as federal funds. 23 Comp. Gen. 744, 745 (1944). The funds are expended by State for the purpose for which they were appropriated when they are transmitted to the UN. It is the UN, through its governing body, that determines and controls the further disposition of these funds. Thus, the peacekeeping credits applied by the UN to the United States' outstanding balance are UN funds and do not constitute funds provided in the FY 2013 CIPA appropriation that are subject to the limiting proviso.

State's legal position is consistent with our conclusion. As noted, we asked State for its legal views on its compliance with the limitation in the FY 2013 CIPA appropriation. State explained that, under the United Nations Charter, each UN member state, including the United States, has agreed to make contributions to cover the expenses of the UN, including those expenses incurred in carrying out peacekeeping missions. State Letter, Enclosure, at 1. As such, once State has properly obligated and expended amounts in the CIPA appropriation to cover the United States' share of those expenses, those amounts become funds of the UN and would not be subject to the limitation in the CIPA appropriation. State Letter, at 1.

We also considered whether the miscellaneous receipts statute, 31 U.S.C. § 3302(b), would require State to deposit UN peacekeeping credits to the general fund of the United States Treasury or return them to the relevant CIPA appropriation as a refund. The miscellaneous receipts statute requires that "an official or agent of the Government receiving money for the Government from any source shall deposit the money in the Treasury as soon as practicable without deduction for any charge or claim." One exception to this rule is that an agency may return amounts that qualify as refunds to the appropriation from which the original payment was made. Refunds include amounts returned to agencies for overpayments. B-257905, Dec. 26, 1995. The UN, however, does not return any funds to the member states, including the United States. Rather, the UN retains control over these funds and directs their application to peacekeeping missions as credits. In this regard, the peacekeeping credits are not returned to State as "money for the Government" and are not subject to the miscellaneous receipts statute.

CONCLUSION

The proviso applies to funds appropriated in the FY 2013 CIPA appropriation. However, UN peacekeeping credits are not funds provided in the FY 2013 CIPA appropriation. Therefore, State may obligate amounts in the FY 2013 CIPA appropriation for an assessed UN peacekeeping contribution rate up to the 27.1415 percent statutory limitation without regard to the UN's issuance of peacekeeping credits.

9. Protecting Civilians During Peacekeeping Operations

On February 12, 2014, Ambassador Jeffrey DeLaurentis, U.S. Alternate Representative to the United Nations, addressed the Security Council at a debate on the protection of civilians during UN peacekeeping operations. His remarks, available at <http://usun.state.gov/briefing/statements/221616.htm>, are excerpted below.

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...[A]rmed conflicts today are rarely fought between opposing military forces lined up against each other on an isolated battlefield. Instead, they tend to involve, on one side or perhaps both, irregular forces that live in close proximity to civilian populations. The result is that, when fighting takes place, civilians are often at grave risk either because they are intentionally targeted, or because they otherwise find themselves in the line of fire. Even when civilians do survive, the conflict may quickly drive them from their homes, exposing them to a new set of risks. The responsibility for protecting civilians in conflict, therefore, is both an important and a highly complicated one—a job we are still learning how to do effectively.

In recent years, this Council has regularly directed UN peace missions to protect civilians under imminent threat. Establishing a mandate, however, is a profoundly simple task compared to fulfilling one. The challenge we face goes beyond establishing goals to actually save and secure the lives of civilians in conflict. This challenge can be broken down into three core elements: prioritization, planning, and prevention.

The first of these elements is straightforward. The protection of civilians must be identified as a key priority in any peacekeeping mission from the very earliest stages. No one is helped, and the credibility of the UN is seriously damaged, when UN troops stand by while civilians are wounded or killed.

A second imperative is planning, a process that should begin as soon as the evidence of a potential crisis comes to the Council's attention. The best way to protect civilians is to act in time to keep conflicts from breaking out. With effective and early planning, peacekeeping missions can be designed with civilian protection uppermost in mind, with the right equipment and the best mix of military, police, and civilian personnel pre-positioned to respond to potential crises.

Part of planning is to learn from the past while acknowledging that no two situations are exactly alike. In Haiti, civilian protection has centered on efforts to return displaced families to their homes and to train an effective national police. In the Democratic Republic of the Congo, we are finally seeing the benefits of a mission that has emphasized civilian protection and that is backed by a strong political and diplomatic strategy. It is worth noting in this context that the UN mission in the DRC has developed a comprehensive plan for protecting civilians, which includes mapping specific threats and integrating that information into overall planning. Making such data available to mission commanders can spell the difference between success and failure.

All elements of the UN hierarchy have a role to play in planning for civilian protection. The Department of Peacekeeping Operations can facilitate the sharing of knowledge and best practices across missions, helping to disseminate lessons learned. But mission-specific planning remains critical and DPKO has a duty to assist each mission in developing a plan that fits the unique circumstances it will face. Meanwhile, the members of this Council have a responsibility,

through the questions we ask and the wording of the resolutions we adopt, to make clear the importance we attach to this issue.

This brings me to the third element in our discussion today—prevention. While we can make civilian protection a priority and devote ample resources to planning, we can still find ourselves trying to save lives in ways that were not foreseen. In Cote d'Ivoire in 2010, a political crisis required rapid adjustments to enable a democratic transition and contain civilian violence. Just recently, in South Sudan, UN Mission outposts served as emergency gathering points for more than 80,000 internally-displaced persons. Inside those overcrowded compounds, desperate families received security, food, water, and health care—babies were born, children studied, and the sick and wounded were treated.

Nothing is more predictable in international peacekeeping than the likelihood that unpredictable events will occur. The more flexibility we build into our preparations and deployments, the better off we will be. We have made progress, but we can do more to pre-position equipment and to consider in advance how we might transport peacekeepers to remote locations with relatively little notice and shift resources from one area to another. And we must do the best job we can in integrating information about changing political dynamics into our peacekeeping strategies. We cannot do everything; but we can at least act with wisdom and determination in response to what we have learned.

We should also continue to explore the promise of new technology. The deployment of unmanned aerial vehicles in MONUSCO has been useful in identifying hostile troop movements and locating civilian populations in need, helping better protect civilians and peacekeepers. Early warning networks should be part of any plan for protecting civilians, and the UN should strive to be connected, where appropriate, to all such networks.

Madam President, the protection of civilians is an integral part of the UN peacekeeping mission, and must therefore be given a top priority in the planning we do, the preparations we make, and the operations we implement on the ground. We must keep learning, and continually review our efforts to identify what we should be doing better. In the UN, the DPKO Best Practices Unit is driving this effort. We all have a responsibility to do our part—as UN officials, Security Council members, troop contributing nations, and members of the world community. Our credibility is at stake, but far more important, so are the lives of our neighbors. ...

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C. CONFLICT AVOIDANCE

1. Gender-Based Violence Emergency Response and Protection Initiative

See Chapter 6.B.2.b.

2. Atrocities Prevention

On April 16, 2014, Ambassador Power addressed a Security Council briefing on the prevention of genocide. Her remarks are excerpted below and available at <http://usun.state.gov/briefing/statements/224887.htm>.

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Nine days ago, I had the privilege to join representatives from across the globe in Kigali to mark the twentieth anniversary of the Rwandan genocide, we bowed our heads in remembrance of the more than 800,000 men, women and children who were so ruthlessly deprived of life. We rededicated ourselves to assisting in the still unfinished tasks of recovery, reconciliation, and reintegration. And we joined with President Kagame in saluting “the unbreakable Rwandan spirit” as he put it, which has enabled the people of that beautiful land to build a better future without forgetting the past.

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Today we consider again the paramount question of lessons learned...In so doing, we benefit from instruments that did not exist two decades ago. These include the UN’s Special Adviser on the Prevention of Genocide; the High Commissioner for Human Rights; the International Criminal Court; the Responsibility to Protect doctrine; improvements in regional peacekeeping capabilities—and here I would note particularly, with the addition of Rwandan peacekeepers who perform exceptionally, admirably, in the cause of the atrocity prevention in the Central African Republic and elsewhere—more nimble deployment of accountability mechanisms; and a welcome surge within civil society of anti-genocide awareness and activism.

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As a global community, we recognize that mass atrocities may emerge from a variety of scenarios. We’ve begun to identify telltale patterns and indicators. We’ve agreed on the value of vigilance to prevent unstable situations from unraveling. We have affirmed, all of us, the duty of each government to protect its citizens from mass atrocities. And we have stated our preparedness, under the UN Charter, to respond when states require help in fulfilling that duty.

In some cases—from Timor-Leste and Liberia to Sierra Leone, Libya, Kenya, and Ivory Coast—we have joined with local partners to end or deter violence. Recently, we’ve made progress in assisting the Democratic Republic of Congo and strengthening the UN in their fight against those militia who continue to attack and rape civilians. We have intensified diplomatic efforts to restore peace in South Sudan and the UN there has not only provided emergency supplies to populations displaced by the recent fighting, but it has importantly opened its doors in an unprecedented way allowing its bases to become islands of protection. The Africans and French deployed to try to prevent mass atrocities in the Central African Republic. We have quickly authorized a Commission of Inquiry and now we have authorized a UN peace operation to address the unfolding catastrophe. We must get African, European and UN forces deployed urgently.

Overall, however, it is both fair and profoundly unsatisfying to admit that our successes have been partial and the crimes against humanity that persist are devastating. Yesterday, many of us attended an Arria session, in which we saw graphic photographs taken in Syrian prisons showing the systematic, industrial-style slaughter and forced starvation killings of approximately 11,000 detainees. And those photos were taken in just three of the 50 Syrian-run detention centers, in Syria. And to that we can add the Syrian victims of chemical weapons attacks, the

children felled by barrel bombs and those being starved to death in besieged towns and villages, or those executed by terrorist groups. Twenty years from now, how will we reflect on this Council's failure to help those people? How will we explain Council disunity on Syria twenty years after Rwanda?

Too often, we have done too little, waited too long, or been caught unprepared by events that should not have surprised us. Moving forward, we have to do a better job confronting and defeating the practitioners of hate. Part of protecting against mass atrocities is preventing the conditions that allow them: rampant discrimination, the denial of human dignity, and the codification of bigotry. No one should be targeted for violence simply because of who they are or what they believe.

In our collective effort to prevent mass atrocities, we must make creative use of every tool we have: human rights monitoring; diplomatic missions; technical assistance; arms embargos; smart sanctions; peace operations; judicial inquiries; truth commissions; courts; and other measures designed to influence the calculations of perpetrators who every day are deciding how far they are going to go—every day they are doing a cost benefit analysis in their head about whether the cost of moving forward exceeds the benefits from their often warped perspective.

We must also be innovative in taking advantage of new technology like the UAV's now being deployed in the Democratic Republic of Congo—even text messaging which is being used to raise alarms, track the movement of outlaw groups, gather evidence of criminal violations, and we of course must always deliver aid to those in desperate need.

We must remember, as well, that preventing mass atrocities is a global responsibility requiring robust contributions from all. In particular, we need to train and equip peacekeepers who head into harm's way. And more countries should do their share—whether through soldiers, civilians, enablers, or other contributions. I echo my Rwandan colleague's point that twenty years after ... the Rwandan genocide...we should have moved further beyond what he called, 'crisis improvisation.'

Further, we must enhance the bonds of trust between ourselves. Historic differences within or between regional groups must neither lessen our capabilities nor diminish our willingness to act as one.

Finally, we must ask every state to consider whether there is more it can do to remove the political roadblocks that impede effective action. Again, with thousands of lives at stake in Syria and elsewhere, obstruction is untenable and cooperation is a moral and strategic imperative. Tomorrow afternoon, we will also have the chance to shine a spotlight on the horrors going on in the darkness of North Korea.

Madame President, and colleagues, our task is as straightforward as it is vital: to ensure that when our successors gather in this chamber two decades from now; they will not speak of more lost opportunities and failures. Instead, their words will be of ...respect for the comprehensive anti-atrocity steps we took together. Let them say in their time that we, in our time, moved beyond deadlock to unity, beyond remembrance to mobilization, and beyond mere promises to the kind of bold and concrete actions that end wars and stop genocide before the searing pain it causes can be heard in the cries of those left behind.

* * * *

Ambassador Power again addressed the issue of preventing mass atrocities and genocide at a High Level Meeting on Mass Atrocities, held on September 25, 2014 at the UN in New York. Her remarks are excerpted below and available at <http://usun.state.gov/briefing/statements/232215.htm>.

* * * *

It is difficult to imagine a more important objective than preventing mass atrocities and genocide. The horrific atrocities of the Second World War galvanized the international community to create the United Nations.

If we are to prevent these atrocities, we must respond earlier, we must respond systematically, and we must respond together. States must do more than endorse statements about the responsibility to protect. States must take real action to prevent mass atrocities.

President Obama has declared that the prevention of mass atrocities and genocide is a “core national security interest and a core moral responsibility of the United States.”

To translate those words into deeds, President Obama has taken unprecedented steps to ensure that our government can anticipate mass atrocities – because we know that the sooner we act, the more options we have.

He has established a standing body - the Atrocities Prevention Board - to focus our government on the risk of mass atrocities, and develop options for responding to potential mass atrocities before they metastasize and slaughter begins.

We are constantly considering what tools can best be deployed to prevent them, or to stop them from occurring. Our diplomats have exerted pressure on capitals, regional bodies, and here at the UN. Our Treasury Department has applied targeted sanctions on perpetrators, and blocked the flow of money to abusive regimes. And in certain circumstances, our military has intervened to stop atrocities from occurring, as it recently did to halt the mass killing of those trapped on Mt. Sinjar.

At the international level, the Security Council has a special responsibility for the preservation of international peace and security, and none of us should take this responsibility lightly.

In recent months, the Council has shown that it can act responsibly, mobilizing attention, resources, and support to end horrific cycles of violence. In South Sudan, we have surged forces to enable UNMISS to respond to a deadly civil war that has already claimed over 10,000 lives. And in the Central African Republic, we have authorized a new peacekeeping mission to support French forces in curbing a wave of sectarian violence that has caused thousands of deaths and displaced hundreds of thousands of people.

I would single out France for its leadership in helping prevent mass atrocities in Libya and helping halt them in Cote d’Ivoire, Mali, and the Central African Republic. And I would applaud Mexico for its announcement this week that it will deploy military personnel to UN peacekeeping operations for the first time in 60 years. Over time, this will prove a decision that helps prevent atrocities.

We have all seen how the irresponsible use of the veto by Security Council members can deprive this body, and the international community, of some of its most effective tools for preventing and responding to atrocities. In Syria, the Assad regime has committed widespread

and systematic violations against its own people. Yet – in the face of some of the worst horrors in modern history – four vetoes by members of this Council stood in the way of holding its leaders accountable.

We can ask ourselves whether some 200,000 lives would have been lost in Syria if the Security Council had been able to come together. We can even ask whether ISIL – the monstrous terrorist movement the international community is uniting against – would have gained the foothold it has if we had been united.

The Security Council has the power to play a critical role in stopping atrocities. That power carries with it great responsibility. All five permanent members have a responsibility to respond with acute urgency in the face of mass atrocities that take the lives of innocents and that threaten international peace and security.

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Cross References

Temporary Protected Status for South Sudan and Sudan, Chapter 1.D.1.b.

Resettling Syrian refugees, Chapter 1.D.3.

International tribunals, Chapter 3.C.

Syria: UN Security Council vote on referral to ICC, Chapter 3.C.2.b.

Palestinian Authority efforts to accede to treaties, Chapter 4.A.1.

Actions at the Human Rights Council regarding Syria, Chapter 6.A.3.c.

Sexual violence in conflict, Chapter 6.B.2.

Israel's participation at the UN, Chapter 7.A.3.

Recording Israel as place of birth on passport (Zivotofsky), Chapter 9.C.

Syria-related sanctions, Chapter 16.A.2.

Sanctions relating to restoration of peace and security, Chapter 16.A.7.